

The Odisha Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No.795, CUTTACK, WEDNESDAY, APRIL 2, 2025/ CHAITRA 12, 1947

COMMERCE & TRANSPORT (TRANSPORT) DEPARTMENT

NOTIFICATION

The 29th March, 2025

No.4318—TRN-LC-MISC-0094/2027 — The following draft of certain rules further to amend the Odisha Motor Vehicles Rules, 1993, which the State Government proposed to make in exercise of the powers conferred by Section 96 of the Motor Vehicles Act, 1988 (59 of 1988), is hereby published as required under sub-section (1) of Section 212 of the said Act for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the expiry of a period of 30 (thirty) days from the date of publication of this notification in the *Odisha Gazette*.

Any objection or suggestion which may be received by the Principal Secretary to Government, Commerce & Transport Department from any person, with respect to the said draft before the expiry of the period so specified, will be considered by the State Government.

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1. **Short title and commencement.**—(1) These rules may be called the Odisha Motor Vehicles (Amendment) Rules, 2025.
2. They shall come into force on the date of their publication in the *Odisha Gazette*.
3. In the Odisha Motor Vehicles Rules, 1993, hereinafter called the said rules,-
 - (1) for the word “Orissa”, wherever it occurs, the word “Odisha” shall be substituted.
 - (2) in rule 2,-
 - (i) for clause (a-i), the following clause shall be substituted, namely,- “(a-i) ‘**Air-Conditioned Deluxe Stage Carriage**’ means bus manufactured as Air condition deluxe category as per AIS052 & AIS119 having provision for carrying passenger with seating option covered under a permit, authorizing the same to stop, to pick up and set down

passengers once in an average distance of **fifty kilometers** covered by its routes with the exception of District Headquarters en-route and the place of its starting and terminus;”;

(ii) for clause (a-ii), the following clause shall be substituted, namely,-

“(a-ii) ‘**Air-conditioned Deluxe Sleeper stage carriage**’ means bus manufactured as Air condition deluxe category as per AIS052 & AIS119 having provision for carrying passenger with both seating and sleeper option covered under a permit, authorizing the same to stop, to pick up and set down passengers once in an average distance of **fifty kilometers** covered by its routes with the exception of District Headquarters en-route and the place of its starting and terminus;”;

(iii) for clause (a-iii), the following clause shall be substituted, namely,-

“(a-iii) ‘**Air-Conditioned Deluxe Contract Carriage**’ means bus manufactured as Air-condition deluxe category as per AIS052 & AIS119 having provision for carrying passenger having seating option;”;

(iv) for clause (a-iv), the following clause shall be substituted, namely,-

“(a-iv) ‘**Air-Conditioned Deluxe Sleeper Contract Carriage**’ means bus manufactured as Air -condition deluxe category as per AIS052 & AIS 119 having provision for carrying passenger with both seating and sleeper option;”;

(v) for clause (c), the following clause shall be substituted, namely,-

“(c)‘**Deluxe stage carriage**’ means bus manufactured as deluxe category as per AIS052 having no provision for Air Condition and having provision for carrying passenger with seating option covered under a permit, authorizing the same to stop, to pick up and set down passengers once in an average distance of **fifty kilometers** covered by its routes with the exception of District Headquarters en-route and the place of its starting and terminus;”;

(vi) for clause (c-ii), the following clause shall be substituted, namely,-

“(c-ii) ‘**Deluxe Contract Carriage**’ means bus manufactured as deluxe category as per AIS052 having no provision for Air Condition and having provision for carrying passenger with seating option;”;

(vii) for clause (d), the following clause shall be substituted, namely,-

“(d)‘**Non-deluxe Express stage carriage**’ means bus manufactured as Non-deluxe category or semi deluxe category as per AIS052 having no provision for Air–Condition covered under a permit authorizing the same to stop, pick up and set down passengers once in an average distance of **twenty five** kilometers covered by its route, with the exception of district, subdivision, Tahasil, block head quarters en-route and the place of its starting and terminus;”;

(viii) for clause (e-i), the following clause shall be substituted, namely,-

“(e-i) **‘Air-Conditioned Sleeper Stage Carriage’** means bus manufactured as Air-condition deluxe category as per AIS052 and AIS 119 having provision for carrying passenger only with sleeper option covered under a permit authorizing the same to stop, to pick up and set down passengers once in an average distance of **fifty kilometers** covered by its routes with the exception of District Headquarters en-route and the place of its starting and terminus;”;

(ix) for clause (e-ii), the following clause shall be substituted, namely,-

“(e-ii) **‘Air-Conditioned Sleeper Contract Carriage’** means bus manufactured as Air condition deluxe category as per AIS052 and AIS119 having provision for carrying passenger only with sleeper option;”;

(x) for clause (f-i), the following clause shall be substituted, namely,-

“(f-i) **Non-deluxe ordinary stage carriage** means bus manufactured as Non-deluxe category or semi I deluxe category as per AIS052 having no provision for Air Condition covered under a permit authorizing the same to stop, pickup and set down passenger once in an average distance of **five kilometers** covered by its route, with the exception of District, Sub-Division, Tahasil, Block Headquarters enroute and the place of its starting and terminus;”;

(xi) for clause (i), the following clause shall be substituted, namely,-

“(i) **‘Secretary, State Transport Authority’** means an officer appointed as such by the State Government to exercise the powers, discharge the duties and perform the functions of the Secretary of the State Transport Authority provided under these rules and includes Special Secretary / Additional Secretary /Additional Commissioner, Transport;”;

(xii) for clause (j), the following clause shall be substituted, namely,-

“(j) **‘Secretary, Regional Transport Authority’** means an officer appointed as such by the State Government to exercise the powers, discharge the duties and perform the functions of the Secretary of the Regional Transport Authority provided under these rules and includes Additional/Assistant Regional Transport Officer of the region concerned;”;

(xiii) for clause (j-i), the following clause shall be substituted, namely,-

“(j-i) **‘Air-conditioned Non-Deluxe Express stage carriage’** means bus manufactured as Non-deluxe category or Semi-deluxe category as per AIS052 **having provision for Air-Condition** covered under a permit authorizing the same to stop, pickup and set down passengers once in an average distance of **twenty-five** kilometers covered by its route,with the exception of district, subdivision, Tahasil, block headquarters en-route and the place of its starting and terminus”;

(xiv) clauses (m-i) and (m-ii) shall be omitted;

(xv) after clause (m), the following clauses shall be inserted, namely;-

“(n) **‘Super Premium Air-conditioned stage carriage’** means Bus manufactured as Air-condition deluxe category as per AIS052 & AIS119 having provision for **premium degree of comfort** for passengers and **levying fare under super Premium category** covered under a permit authorizing the same to stop, pick up and set down passengers once in an average distance of **one hundred kilometers** covered by its route, with the exception of District, subdivision, Tahasil, block head quarters enroute and the place of its starting and terminus;

(o-i) **‘Deflected Bull Nose Crash Barrier’** means the crash barriers placed in a median in consideration of the potential for impact from opposing traffic, where the trailing end of the guard rail is deflected inwards to shield the vehicle from piercing damage;

(o-ii) **‘Proper Road Markings’** means the lines, patterns, words except road signs which are applied or attached to the carriage way or kerbs or to objects within or adjacent to the carriageway for controlling, warning, guiding and informing the road users;

(o-iii) **‘Road Delineators’** means any device or treatment whose aim is to outline the road way or a portion thereof in order to provide visual assistance to drivers about the alignment of the road ahead, especially at night, including painted lines, raised pavement markers, posts, post-mounted reflectors or contrast treatments of the pavement;

(o-iv) **‘Tactile Shoulder Lines’** means Audio Tactile Line Marking which is the combination of line marking and raised profile thermoplastic ribs to provide greater lane delineation and a sensory indicator (both tactile and auditory indicators) of lane departure (crossing edge line or crossing center-line);

(o-v) **‘Truck Lay Bys’** means a rest stop area at the side of a road where trucks or heavy commercial vehicles can stop for a short time or break, having adequate space for public facilities like toilets, drinking water, telephone, paved parking etc. ;

(o-vi) **‘Urban roads’** means those roads and streets including but not limited to six classes of urban roads and streets namely – urban express way, arterial road, sub-arterial road, collector street, local street, Non-Motorized Transport Street and Green ways, as specified in IRC: 86-2018;

(o-vii) **‘Vision Obstruction’** means obstruction to the driver's cone of vision due to presence of over grown vegetation, gradient, signs, or superstructures; such restriction to sight distance may be caused at horizontal curves, by objects obstructing vision at the inner side of the road or at vertical summit curves, or at inter sections;

(o-viii) '**Road Safety**' means to make roads safer for road users so that the loss of lives and injuries cannot be accepted as an inevitable consequence of mobility;

(o-ix) '**Lead Agency on Road Safety**' means a committee constituted by government under this rule under the chairmanship of Transport Commissioner with the members from various stake holder departments;

(o-x) '**Traffic Calming Measures**' means Traffic Calming techniques to achieve the goals of managing efficient traffic flow at the same time ensuring safety of all road users especially around areas where the Highways pass through the Villages and towns; and

(o-xi) '**Road Safety Audit**' means a formal, systematic and detailed examination of a road project by an independent and qualified team of auditors that leads to a report of the potential safety concerns in the project;

3. In the said rules, in rule 3,-

(a) for the existing shoulder heading, the following shoulder heading shall be substituted ,namely;-

3."Licensing Authority for grant, renewal and cancellation/suspension of Driving license and Learner's license".

(b) for clause (ii), the following clause shall be substituted, namely;-

"(ii) in case of the Trainees of the Government Driving Training School, any accredited Driving Training Institute and any other authorized Driving Training School or institute ,the Principal, Government Driving Training School."

(c)for clause (iii), the following clause shall be substituted, namely;-

"(iii) in case of International Driving Permit, the Principal, Government Driving Training School." and

(d)after clause (iii) the following new clause shall be inserted, namely;-

"(iv) The licensing authority, after providing opportunity of being heard to the holder of driving license, may cancel the driving license on commission of offences more than three times."

4. In the said rules, after rule 3, the following rules shall be inserted, namely;-

"3A.Licensing Authority for grant and renewal of license under rules 25 to 28 of the Central Motor Vehicles Rule,1989.- The Licensing Authority shall be the Principal, Government Driving Training School.

3B.Authority for grant and renewal of Accreditation under rules 31B to 31G of the Central Motor Vehicles Rules, 1989.The Licensing Authority shall be the Principal, Government Driving Training School."

- 5.** In the said rules, in rule 5, for sub-rule(1), the following sub-rule shall be substituted, namely;-

“(1) Appeal Memo made under sub-section (2) of Section 17 or sub-section (3) of Section 19 of the Act shall be preferred in duplicate in the form of a memorandum containing concisely the grounds of objection to order off the licensing authority and also then date of service of such orders which shall be accompanied by the certified copy of the order appealed against together with a fee of rupees five hundred paid online.”

- 6.** In the said rules, in rule 6, sub-rules (1) to (8) shall be omitted.

- 7.** In the said rules, in rule 7, for sub-rules (1), (2), (3) and (6), following sub-rules shall, respectively, be substituted, namely;-

“(1) Any person to whom a driving licence has been issued under these rules shall retain and carry such driving licence either in physical or digital format, while driving or in control of such transport vehicle.

(2) The person holding such driving licence shall keep such licence issued to him in safe custody and shall produce the same physically or in digital format before any authority, authorised in this behalf on demand for verification thereof for the purpose of the Act and these rules.

(3)The person authorized to drive Heavy motor vehicle (goods or Passenger) shall mandatorily require to undergo a refresher training course once in every five years at the designated centers notified by the Transport Commissioner, from time to time.

(6) Every driver of a transport vehicle shall, in addition to carry the digital or physical copy of driving licence, also carry an authorization issued by the owner of the vehicle in the Form I.”.

- 8.** In the said rules, for rule 8, the following rule shall be substituted, namely;-

“8. Maintenance of State Register of driving licence. The State Register of driving licence shall be maintained by the State Government in digital format as provided under section 26 of the Act.”

- 9.** In the said rules, for rule 8A, the following rule shall be substituted, namely:

“8A. Evidence as to the correctness of address and age. Every applicant for issue of Driving License under Chapter – II of the Motor Vehicle Act, 1988 shall produce any one or more of the following documents in original or relevant extracts thereof duly attested by him/ her as evidence of his/her address and age, namely;-

(a)Service Identity Card with photograph and date of birth issued to employees of Central, State Government, public Sector undertakings, public limited companies;

- (b) Pass Books with photographs issued by the Nationalised Bank or Post Office;
- (c) PAN Card (for age proof);
- (d) Aadhar Card;
- (e) Indian Passport;
- (f) Birth Certificate issued by Competent Authority;
- (g) Health Insurance Smart Card issued under Rashtriya Swasthya Bima Yojana of Ministry of Labour & Employment, Government of India; and
- (h) Electoral Photo Identity card issued by Election Commission of India.”.

10. In the said rules, for rule 9, the following rule shall be substituted, namely;-

“9.The Registering Authority:-The Regional Transport Officer of the region concerned shall be the Registering Authority .”

11. In the said rules, in rule 11, for sub-rules (1) and (2), the following sub-rules shall be substituted, namely;-

“(1) Any person aggrieved by an order passed by the Registering Authority, under sections **41,42,43,45,47,48,49, 50, 52,53, 55 or 56** shall ,within thirty days from the date of the receipt of such order, appeal to the Appellate Authority.

(2)The appeal **memo** under sub-rule(1) shall be preferred in duplicate in the form of a memorandum together with a fee receipt showing a deposit of fee of rupees **five hundred** online setting forth concisely the grounds of objection to the order of the registering authority and shall be accompanied by a **certified copy** of the order appealed against.”

12. In the said rules, for rule 12, the following rule shall be substituted, namely;-

“12.Obtaining copies of documents and payment of fees. □Any person preferring an appeal under the provisions of the Act and the rules shall be entitled to obtain copies of documents filed before the registering authority in connection with **any order appealed against on payment of a fee online prescribed under rule81 of the Central Motor Vehicles Rules, 1989 in respect of such document.**”.

13. In the said rules, in rule 14, for sub-rules (1), (4) and (5), the following sub-rules shall be substituted, namely;-

“(1) On receipt of an application, the registering authority when assigning a registration mark under rule 13 shall assign the registration number randomly through the portal.

(4) The registering authority may, on an application made to it online by the owner of a motor vehicle or by any person who intend to purchase a motor vehicle for reservation of registration number other than the notified numbers referred to in sub-rule (3) in respect of new vehicle or by assignment of Odisha registration number with mark under section 39 or Section 47 of the Act, as the case may be, assign a registration number within the range

of ten thousand from the last number assigned **in random order** from the date of application on payment of fee of rupees five thousand for two wheelers and rupees ten thousand for motor vehicle other than two wheelers in addition to the fee prescribed under rule 81 of the Central Motor Vehicles Rules, 1989, on line on first come first serve basis and while applying online, the applicant shall mention details of payment made online, attach scanned copy of any one document as proof of address and age of the applicant as laid down in rule 4 of the Central Motor Vehicles Rules, 1989 and rule 8A of these rules.

(5) The registering authority may, on an application made to it online by the owner of a motor vehicle or by any person who intend to purchase a motor vehicle for reservation of registration number or numbers out of the notified registration numbers referred to in sub-rule (3), in respect of new vehicle or by assignment of Odisha registration number with mark under section 39 or Section 47 of the Act, as the case may be, assign a notified number within the range of ten thousand from the last number assigned **in random order** on payment of such fee as prescribed in sub-rule (3), in addition to the fee prescribed under rule 81 of the Central Motor Vehicles Rules, 1989, online and while applying online the applicant shall mention details of payment made online, attach scanned copy of anyone document as proof of address and age of the applicant as laid down in rule 4 of the Central Motor Vehicles Rules, 1989 and 8A of these rules and notified number shall be allotted by auction in such manner as may be specified in the order issued by the Commissioner.”.

14. In the said rules, for rule 15, the following rule shall be substituted, namely:□

“(15)**Issue of certificate of registration:-** On receipt of an application electronically or manually, as the case may be, in Form 20 along with other documents as prescribed under rule 47 of the Central Motor Vehicles Rules, 1989 and after verification of the documents furnished therewith, the registering authority shall, subject to the provisions of Section 44, issue to the owner of the motor vehicle a certificate of registration in digital format in Form 23 prescribed under rule 48 and rule-48A of the Central Motor Vehicles Rules, 1989.”.

15. In the said rules, for rule 16, the following rule shall be substituted, namely;-

“(16) **Registration records to be kept by the Registering Authority.** □ Every registering authority shall keep in **digital format** of Form 24 prescribed under rule 49 of the Central Motor Vehicles Rules, 1989, a permanent **digital** register of motor vehicles registered by it under sub-section (5) of Section 41 and of motor vehicles of other State for which new registration marks are assigned by it under sub-section (2) of Section 47 and shall also

digitally enter in such record under the respective registration number all changes made with reference to the provisions of sub-section (10) or sub-section (14) of Section 41, sub-section (5) of Section 49, sub-section (6) of Section 50, sub-sections (1), (2), (3) and (5) of Section 51, sub-section (4) of Section 52, orders of suspension under section 53 and orders of cancellation under sections 54 and 55.”.

16. In the said rules, in rule 17;-

- a. for sub-rules (1) and (2), the following sub-rules shall, respectively, be substituted, namely;-

“(1) The registered owner of a motor vehicle other than a transport vehicle shall apply electronically to any Registering Authority in the State for renewal of certificate of registration of the motor vehicles and the application for renewal of registration shall be made not more than sixty days before the date of its expiry.

2. The Registering Authority shall, on receipt of the application for renewal of the certificate of registration of a motor vehicle other than a transport vehicle, cause the vehicle to be examined **in the manner as prescribed under the Central Motor Vehicle Rules, 1989** by the Inspector of Motor Vehicles or **Assistant Inspector of Motor Vehicles** or a Junior Inspector of Motor Vehicles and on the later’s recommendation, renew the certificate of registration and such renewal shall remain valid for a period of five years from the date on which it is granted.” and

- b. sub-rules (3), (4) and (5) thereof, shall be omitted.

17. In the said rules, in rule 18,-

- (a) for sub-rules (1) and (2), the following sub-rules shall, respectively, be substituted, namely;-

“(1) Any Magistrate in any proceeding before him, or the Additional Commissioner, Transport or Secretary or Joint Secretary or Deputy Secretary or the Under-Secretary of the State Transport Authority or Joint Commissioner, Transport or Deputy Commissioner, Transport or Regional Transport Officer or the Inspector of Motor Vehicles, may suspend the certificate of registration of a motor vehicle under sub-section (1) of Section 53.

(2) Any officer of the Odisha Motor Vehicles Department not below the rank of Sub-Inspector, Traffic may stop any motor vehicle the use of which in a public place, in his opinion, is likely to constitute danger to the public and examine such vehicle.”; and

- (b) in sub-rule (3), for clause (ii), the following clause shall be substituted, namely;-

“(ii) against the order of Additional Commissioner Transport or Secretary or Joint Secretary or Deputy Secretary or the Under-Secretary of the State Transport Authority or Joint

Commissioner Transport or Deputy Commissioner Transport to the Transport Commissioner; ”

18. In the said rules, in rule 19, in sub-rule (1),-

(a) for clauses (i), (ii), (iii) and (iv), the following clauses shall, respectively, be substituted, namely;-

“(i) the name of the owner, mobile number as set forth in the certificate of registration and his address in brief;

(ii) the unladen weight denoted by U.L.W.....Kilogram

(iii) the gross vehicle weight or gross combination weight denoted by GVW or GCW.....Kilograms.

(iv) the number of passengers for whom seating and/or standing accommodation is allowed in the certificate of registration denoted by pass.....(i.e., seating capacity, standees, Sleeper)”;and

(b) after clause(viii),the following new clauses shall be inserted, namely;-

“(ix) Air- conditioned or Non-air-conditioned denoted by A.C. or non-A.C;

(x) Nature of service as per permit.”.

19. In the said rules, in rule 20,-

(a) for sub-rules (1) and (2), the following sub-rules shall , respectively, be substituted, namely;-

“(1) Intimation of transfer of ownership of a motor vehicle under clause (b) of sub-clause (1) Section 50 shall be made electronically on the portal by the transferor in Form 29, transferor and transferee in Form 30 or in case of death of registered owner, transferee in Form 31 prescribed under rule 55 of the Central Motor Vehicles Rules, 1989.

(2) The application shall be accompanied with a fee paid online as specified in rule 81of the Central Motor Vehicles Rules,1989.” and

(b)sub-rule (3) shall be omitted.

20. In the said rules, rule 21 shall be omitted.

21. In the said rules, in rule 22,-

(a) for sub-rules (1) and (2), the following sub-rules shall, respectively, be substituted, namely;-

“(1) A certificate of fitness shall be granted or renewed by an Inspector of Motor Vehicles or Assistant Inspector of Motor Vehicles or Junior Inspector of Motor Vehicles appointed for the purpose, only after conducting test as prescribed under rule 62 or 189, as the case may be, of the Central Motor Vehicle Rules,1989 and in case the test is conducted by any Automated Testing Station duly authorized and approved by the State Government, under

Chapter–XI of the Central Motor Vehicles Rules,1989, then the fitness certificate shall be renewed by the prescribed officer under this rule on receipt of test report in Form 69 of the Central Motor Vehicles Rules,1989:

Provided that the Transport Commissioner may also authorize any other officer subordinate to himself and belonging to the Odisha Transport Engineering Service or the Odisha Sub-ordinate Transport Engineering Service to grant or renew the certificate of fitness.

(2) Application for the grant or renewal of certificate of fitness, shall be made online by the owner or the person in control or possession of the vehicle, subject to clearance of Tax paid online.”;

(b) sub- rules (3) and (4) shall be omitted.

(c) for sub-rules (5), (6), (7) and (8),the following sub-rules shall, respectively, be substituted, namely;-

“(5) The authority granting or renewing certificate of fitness shall, after such inspection as prescribed under this rule, shall endorse on the certificate of registration the fact of such grant or renewal thereof electronically on the portal. In case of refusal to grant or to renew such certificate of fitness, he shall record the reason thereof electronically on the Portal and shall provide a system generated print out to the applicant forthwith.

(6) (a) An application for renewal of the certificate of fitness shall be made electronically on the portal by the owner or the person in control or possession of the vehicle not less than thirty days before the date of expiry of the certificate and the owner or the person in control or possession of the vehicle shall book the date, time and place through online portal for production of his/her vehicle for inspection and shall cause the vehicle to be produced for inspection at the designated place or at the Automated Testing station, as the case may be, on such date, time and place as booked through online portal.

(b) The owner or the person in control or in possession of the vehicle may change the date and time one day prior to the booked date and time on line.

(7) If the owner or the person in control or in possession of the vehicle fails to make application under sub-rule (6) he shall be liable to pay a penalty of rupees one thousand in addition to the fees prescribed for the renewal of the fitness certificate and inspection of motor vehicles.

(8) If the owner or the person in control or possession of the vehicle fails to produce the vehicle before the inspecting authority on the date, time and place booked by him in the manner as prescribed under sub-rule (6),he can book for another date on payment of penalty of rupees one thousand on line.”;

(d) sub-rule (10) shall be omitted.

(e) for sub-rules (11), (12) and (13), the following sub-rules shall, respectively, be substituted, namely:—

“(11) If a vehicle is damaged at any time so as to be unfit for ordinary use during the validity of the fitness certificate, in the opinion of any officer, belonging to the Odisha Transport Engineering Service or Odisha Sub-ordinate Transport Engineering Service, any such officer shall direct the driver of the vehicle to drive the vehicle at a reduced speed to a place of repair and shall by endorsement online specify the time, within which and the condition subject to which, the vehicle may be driven to a specified destination for the purpose of repair and the limit of speed, beyond which it shall not be driven.

(12) The Inspector of Motor Vehicles or in his absence the Assistant Inspector of Motor Vehicles or Junior Inspector of Motor Vehicles may, under sub-section (4) of Section 56 cancel the certificate of fitness of a motor vehicle, if in his opinion, the vehicle does not comply with the requirements of the Act and rules made thereunder and shall record the reasons for such cancellation electronically on the portal and shall further endorse such cancellation in the certificate of fitness.

(13) The Authority cancelling the certificate of fitness shall give, the owner of the vehicle, a system generated cancellation order from the portal.”.

22. In the said rules, in rule 23, sub-rules (1), (2) and (3) shall be omitted.

23. In the said rules, in rule 2,-

(a) for sub-rule (1), the following sub-rule shall be substituted, namely;-

“(1) When possession of motor vehicle is transferred by the registered owner to another person under a hire agreement the registered owner shall forth with intimate the fact and the full name and address of the transferee to Any Registering authority of the State online to be endorsed in VAHAN.”;

(b) in sub-rule (2), for clauses (i) and (ii), the following clauses shall, respectively, be substituted, namely;-

“(i) unless the hire agreement is in writing and registered before the Sub-Registrar and the terms thereof include transfer of possession to the hirer of the right of sole use of the vehicle to the exclusion of the owner and

(ii) in any case, if the vehicle is or is to be driven by the owner or his servant and is or is to be normally kept when not in use, upon the premises of the owner.”.

24. In the said rules, in rule 25,-

(a) for sub-rule (1), the following sub-rule shall be substituted, namely;-

“(1) On or after the commencement of these rules, no owner shall permit any goods carriages to be driven in any public place, liable for registration under the Act, unless the gross vehicle weight or the gross combination weight, as the case may be, is entered in the certificate of registration in accordance with sub-section (2) of Section 58 and notification issued by the Ministry of Road Transport and Highways in this regard from time to time and is exhibited on the vehicle.”;

(b) sub-rules (2), (3), (4), (5), (6) and (7) shall be omitted.

25. In the said rules, in rule 26, sub-rules (1), (2), (3), (4), (5), (6), (7) and (8) shall be omitted.

26. In the said rules, the rule 27 shall be omitted.

27. In the said rules, in rule 28,-

(a) for sub-rule (1), the following sub-rule shall be substituted, namely;-

“(1) (a)An application for obtaining the certified copy of the particulars of a registered motor vehicle by the registered owner shall be made electronically on the portal to the registering authorities of motor vehicles concerned on payment of fee of rupees one hundred through online and such information shall be supplied in Form VIII. (b)Application for obtaining the certified copy of the particulars of a registered motor vehicle may be made by any other person electronically for the purpose of production before any court of law in connection with any case or investigation on payment of fee and manner prescribed under this rule, but in such cases the information protected under any law as applicable, shall not be provided without specific order of any court:

Provided that, in case any court or government investigating agency or law enforcement agency apply for such certified copy of the particulars of a registered motor vehicle, then the information without any restriction on nature of information shall be provided without anycost.”;and

(b) sub-rule (2) shall be omitted.

28. In the said rules, for rule 29, the following rule shall be substituted, namely;-

“29. Refund of fees.- Where the registering authority refuses to issue a certificate of registration or where an authority prescribed or authorized to grant or renew certificate of fitness, the registration of fee or the fee the issue or renewal of the certificate of fitness paid shall be refunded:

Provided that no refund of fee for a certificate of fitness shall be made when the inspection of the vehicle in respect of which the certificate was applied for, has been carried out.

Explanation.- For the purpose of this rule, the fee paid for issue or renewal of a certificate of fitness and for inspection shall be refunded when actually the inspection of the vehicle has not been carried out by the authority prescribed or authorized to grant certificate of fitness, but in case the inspection has been carried on and the vehicle is not found fit for the issue of a fitness certificate, the fee for inspection only shall be retained and the fee for issue or renewal of the certificate of fitness shall be refunded.”

29. In the said rules, rules 30 and 31 shall be omitted.

30. In the said rules, in rule 34, sub-rules(1), (2), (3) and (4) shall be omitted.

31. In the said rules, in rule 35, for sub- rules (1), (2), (3), (4), (5) and (6),the following sub-rules shall, respectively, be substituted, namely;-

“(1) An Officer-in-charge of the police station, where the theft of a motor vehicle is reported by the owner or any other person in possession of the vehicle, shall immediately after registering the report, send intimation to the State Transport Authority, Odisha or the officer authorized by the State Transport Authority in Form IX electronically and send a copy thereof electronically to the registering authority where the vehicle is registered and to all other registering authorities located in the State.

(2) On receipt of the intimation under sub-rule (1), the State Transport Authority shall inform electronically all the registering authorities of the State, the details of the stolen vehicle in Form X .

(3) The State Transport Authority shall also maintain electronically a register of stolen vehicle in Form XI.

(4) The registering authorities shall maintain the register of stolen vehicles in Form XII on the basis of the intimation received electronically from the State Transport Authority or from the Police Officer, as the case may be.

(5) If the vehicle reported to be stolen is recovered, the police-station which recovered the vehicle shall intimate the fact electronically in Form IX to the State Transport Authority and to the original Registering Authority.

(6) Upon receipt of intimation under Sub-rule (5) the State Transport Authority and the registering authority shall take a note of such recovery electronically in the register maintained in the Forms prescribed under sub- rules(3) and (4).”.

32.In the said rules, in rule 36, for sub-rule (1), the following sub-rule shall be substituted, namely;-

“(1) (a) The manufacturer or dealer shall furnish to the Registering Authority having jurisdiction in the locality the information in Form XIII and Form XIV electronically in respect of the vehicles received in stock and sold by him during every months by fifteenth

of the succeeding month. In case the manufacturer or dealer fails to submit report to the registering authority electronically within the time prescribed, the registering authority shall block the dealer credentials till such information furnished.

(b) The manufacturer or dealer shall furnish a copy of the sale certificate in Form 21 electronically as prescribed under rule 47 of the Central Motor Vehicles Rules, 1989 to the registering authority of the concerned region where the vehicle is intended to be registered.”.

33. In the said rules, for rule 37, the following rule shall be substituted, namely;-

“37. Maintenance of State register of motor vehicles.- The State register of motor vehicles shall be maintained by accessing electronic records available in the National Register of Motor Vehicles maintained by Central Government and the portal for National Register of Motor Vehicles shall be used by the registering authorities or such authorised officers designated by the State Government under rule 75 and rule 75A of the Central Motor Vehicles Rules, 1989.”.

34. In the said rules, in rule 39, for sub-rule (1), the following sub-rule shall be substituted, namely;-

“(1) The regions for the purposes of Section 68, shall be such in number and shall comprise the areas set forth in the Second Schedule to these rules:

Provided that the State Government may, by notification in the Official Gazette, increase the number of the regions and define the area of their jurisdiction.”.

35. In the said rules, in rule 40, for sub-rule(2), the following sub-rule shall be substituted, namely;-

“(2)(a) When there is no meeting of the Transport Authority, procedure of circulation may be followed to take a decision in any concerned matter and in that case, the Secretary shall send electronically to each member of Transport Authority such particulars of the matter as may be reasonably necessary in order to enable the members to arrive at a decision and shall specify the date by which the votes of members are to be received electronically in the office of the Transport Authority.

(b) Upon receipt of the votes of the members as aforesaid, the Secretary shall lay the papers before the Chairman who shall record the decision by endorsement on the form of application or other document, as the case may be, according to the votes cast shall be kept by the Secretary and shall not be available for inspection by any person save by a member of the Transport Authority at a regularly constituted meeting of the Transport Authority.

(c) No decision shall be circulated if, before the date by which the votes of members are required to reach the office of the Transport Authority, not less than one-third of the members of the Transport Authority give notice in writing to the Secretary electronically demanding that the matter be discussed in a meeting of the Transport Authority.”.

36.In the said rules, in rule 41,-

(A) in sub-rule (1),-

(i) for clause (a), the following clause shall be substituted, namely;-

“(a) to its Chairman or Secretary,-

(i) its powers under section 72, Section 74, Section 76, Section 79 and sub-sections (9) and (12) of Section 88, respectively, to grant with or without modification of the application or to refuse to grant a stage carriage permit, a contract carriage permit, a private service vehicle permit, a goods carriage permit, an educational institution bus permit, to attach conditions to such permit and to vary such conditions;

(ii) its powers under sub-section (1) of Section 88 to countersign or to refuse to countersign a permit, to attach conditions to the permit thus countersigned and to revoke a countersignature of permit;

(iii) to exercise the powers of the Regional Transport Authority in the circumstances specified in sub-section (3) of Section 68, which may be delegated under rule 42 to its Chairman or Secretary or any other official subject to the conditions specified in the said rule.” ;

(ii) in clause (b),-

(a) for the expression “Assistant Secretary”, the expression “Under Secretary” shall be substituted and

(b) after sub-clause (xi) thereof, the following sub-clauses shall be inserted, namely;-

“(xii) its powers to approve time-table of stage carriage permit;

(xiii) its powers under sub-section(2) of section 81 to renew or to refuse to renew all kinds of permit other than a temporary permit or a special permit;

(xiv) its power under sub-section (1) and sub- section (2) of Section 87 to grant a temporary permit.;

(xv) its powers under sub-section (8) of Section 88 to grant a special permit;

(xvi) its powers under section 83 to permit replacement of the vehicle by another:

Provided that the offered vehicle is of higher model than the existing vehicle;

(xvii) its powers under sub-section (1) and sub- section(3) of Section 82 to transfer or to refuse to

transfer or to transfer a permit from one person to another within the family members only
i.e. -----;

(xviii) its powers to renew or refuse to renew countersignature of all kinds of permit;

(xix) its powers to issue a duplicate permit;

(xx) its powers to issue to permit to the State Transport Undertaking under sub-sec.(1) of Section 103 or to any person under the proviso to Section 104 in respect of a notified route or a notified area;

(xxi) its powers to pass orders as contemplated by sub-section (2) of Section 103 for the purpose of giving effect to the approved scheme in respect of a notified route or notified area.”;

(B) for sub-rule(4), following sub- rule shall be substituted, namely:-

“(4)Notwithstanding anything contained in sub-rules(1) and (2), the State Transport Authority may give general instructions as to the manners in which the delegated authorities shall exercise the power delegated to them.”.

37.In the said rules, in rule 42, for sub-rule (1), the following sub-rule shall be substituted, namely;-

“(1) The Regional Transport Authority may, by general resolution recorded in its proceedings, delegate to its Chairman or Secretary,-

(i) its powers under section 72, Section 74, Section 76, Section 79 and sub-sections (9) and (12) of Section 88 , respectively, to grant with or without modification of the application or to refuse to grant a stage carriage permit, a contract carriage permit, a private service vehicle permit, a goods carriage permit, an educational institution bus permit, to attach conditions to such permit and to vary such conditions;

(ii) its powers to approve time-table for stage carriage permits;

(iii) its powers under sub-section (2) of Section 81 to renew or to refuse to renew all kinds of permit other than a temporary permit or a special permit;

(iv) its powers under section 83 to permit replacement of the vehicle by another:

Provided that the offered vehicle is of higher model than the existing vehicle;

(v) its powers under sub-section (1) and sub-section (3) of Section 82 to transfer or to refuse to transfer or to transfer a permit from one person to another within the family members only i.e ----- ;

(vi) its powers to renew or refuse to renew counter signature of all kinds of permit;

(vii) its powers under sub-section (1) and sub-section (2) of Section 87 to grant a temporary permit;

(viii) its powers to issue a duplicate permit;

(ix) its powers to issue permit to the State Transport Authority Undertaking under sub-section (1) of Section 103 or to any person under the proviso to Section 104 in respect of a notified route or notified area;

(x) its powers to pass orders as contemplated by sub-section (2) of Section 103 for the purpose or giving effect to the approved scheme in respect of a notified route or notified area.”.

38. In the said rules, in rule 43, for sub-rules (1) and (2), the following sub-rules shall be substituted, namely;-

“(1) upon receipt of an application electronically for grant, renewal or otherwise in respect of a permit, the Secretary of the State or Regional Transport Authority or any other officer authorised in this behalf by the Chairman shall examine whether the powers to deal therewith has been delegated to the Chairman or Secretary or any other officer authorised in this behalf, shall forward the same to him for disposal electronically.

(2) Where the application referred to in sub-rule (1) is required to be disposed of by the State or Regional Transport Authority itself, the Secretary or such other officer authorised under sub-rule (1) shall scrutinize the same and call for such further particulars and/or make such inquiries as he may consider necessary and shall, place the same before the next meeting of the Transport Authority.”.

39. In the said rules, the rule 44 shall be omitted.

40. In the said rules, in rule 45, for sub-rule (2), excluding the proviso, the following sub-rule shall be substituted, namely;-

“(2) The application shall be made online to the Secretary, State Transport Authority or the Secretary, Regional Transport Authority, as the case may be, along with fees paid online as prescribed in rule 48:”

41. In the said rules, in rule 46,-

(a) sub-rules (2), (3) and (5) shall be omitted.

(b) for sub-rule (4), the following sub-rule shall be substituted, namely;-

“(4) Permits, both temporary and permanent, shall be issued online by State Transport Authority and Regional Transport Authority, as the case may be and permit can be printed online by the permit holder.”.

42. In the said rules, in rule 47,-

(a) the sub-rules (1), (2), (4), (5), (8) and (10) shall be omitted; and

(b) for sub-rules (3), (6), (7), and (9), the following sub-rules shall be substituted, namely;-

“(3) Application for Contract Carriage Permit shall be made online and permit shall be granted through auto-approval mode, by the State Transport Authority (for all motorable

roads of India) or the Regional Transport Authority (for all motorable roads of Odisha), as the case may be.

(6) Every application for grant of a permit under sub- section (9) of Section 88 in respect of a tourist vehicle and for the authorisation for such tourist permit shall be made to the Regional Transport Authority online accompanied by the fee paid online as prescribed under All India Tourist Vehicles (Permit) Rules, 2023 notified under Central Motor Vehicles Rules.

(7) On receipt of an application online under sub-rule (6), the Regional Transport Authority shall grant permit valid throughout India, through auto- approval mode.

(9) Every application for the grant of a national permit in respect of a goods carriage shall be made online to the Regional Transport Authority who shall grant permit valid throughout India, through auto-approval mode.”.

43. In the said rules, for rule 48, the following rule shall be substituted, namely;-

“48. Fees:-

(1) The fees in respect of application for grant, renewal, extension, variation, curtailment, countersignature and transfer of permit shall be as follows, namely: -

	Temporary permit	Permanent permit
(i) For a goods carriage permit	Rupees five hundred	Rupees one thousand.
(ii) For a private service vehicle and educational Institution vehicle permit	Rupees one thousand	Rupees two thousand
(iii) For a stage Carriage permit	Rupees one thousand	Rupees five thousand
(iv) For a contract carriage permit (other than a motor cab)	Rupees one thousand	Rupees seven Thousand five hundred
(v) For a goods carriage under National Permit Scheme		Rupees five thousand.
(vi) For any other permit and or counter signature of permit	Rupees two thousand	Rupees five thousand
(vii) For motor cabs	Rupees five hundred	Rupees one thousand

(2) The fees in respect of grant, renewal, extension, variation, curtailment, countersignature and transfer of permit shall be as follows, namely;-

(i)	For a carriage goods permit	Rupees two thousand per vehicle per Annum or any part thereof
(ii)	For a contract carriage permit(other than motor cab)	Rupees three thousand per Annum per vehicle or any Part thereof.
(iii)	(a)For any other permit	Rupees five thousand per annum per Vehicle or any part thereof.
	(b)For motor cabs	Rupees one thousand per annum per Vehicle or any part thereof.
(iv)	Surcharge for permit for covering more than one region	Rupees one thousand per vehicle for a permit.
(v)	For a temporary permit-	
	(a)if valid for one region	Rupees five hundred for every week or part thereof.
	(b)if valid for more than one region.	Rupees one thousand for Every week or part thereof.
(vi)	For replacement of a Vehicle covered by a permit by another.	Rupees five thousand.
(vii)	For transfer of a permit	
	(a) Stage carriage	
	(i)to a family member or on succession.	Rupees five Thousand per annum or part thereof.
	(ii)to 3rd party on specific cases, detailed procedure decided by State or Regional Transport Authority.	Rupees ten lakh.

	(b)Contract Carriage	Rupees five Thousand per annum or part thereof.
	(c)Goods Carriage	Rupees two thousand per Annum or part thereof.
(viii)	(a)For transfer of any other permit	Rupees ten thousand.
	(b)For motor cab	Rupees one thousand
(ix)	Countersignature of Permanent permit-	
	(a)goods carriage permit - Rupees two thousand per annum per vehicle. (b)stage carriage permit and contract carriage permit other than motor cab- Rupees two thousand and five hundred per annum per vehicle. (c)Motor cab-Rupees five hundred per annum per vehicle.	
(x)	Countersignature of temporary permit	Rupees five thousand per vehicle.
(xi)	Fee for change of timing	Rupees three thousand.”.

44.In the said rules, for rule 49, following rule shall be substituted, namely:-

“49. Refund of permit fees:- Where the Regional Transport Authority or State Transport Authority refuses to grant or renew a permit, the fee for grant or renewal or permit, if any paid, shall be refunded and a refund voucher shall be issued.”.

45.In the said rules, in rule 50,-

(a) for sub-rules (1) and (2), the following sub-rules shall be substituted, namely;-

“ (1) When Part – A or Part-B of any permit has been lost or destroyed or mutilated, the holder shall forthwith intimate the fact online to the authority, by which the permit was issued and shall deposit the prescribed fee online for issue of a duplicate permit.

(2) Upon receipt of application under sub-rule (1), duplicate permit shall be issued online through auto-approval mode subject to auto-verification of tax, fitness, permit, insurance from the portal.” and

(b) sub-rules (3), (4), (6) and (7) shall be omitted.

46.In the said rules, in rule 51, -

(a) for sub- rules (1) and (2), the following sub-rules shall be substituted, namely;-

“(1) The holder of a permit may at any time surrender the permit electronically to the State Transport Authority or Regional Transport Authority by which it was granted and the State Transport Authority or Regional Transport Authority shall forthwith cancel any permit so surrendered online. The permit of a stage carriage (temporary or permanent) so surrendered, the route or routes shall be notified in the website.

(2) When a State Transport Authority or Regional Transport Authority revokes or cancels any permit under section 86,-

(i) the holder shall surrender Part- A and Part- B of the permit within seven days off receipt of a demand in writing by the State Transport Authority or Regional Transport Authority, as the case may be; and

(ii) the authority cancelling or revoking the permit shall send intimation to the authority by which the permit has been countersigned.” and

(b) sub-rule (3) shall be omitted.

47.In said rules, in rule 52, for sub-rule (1), the following sub-rule shall be substituted, namely;-

“(1) Applications for the renewal of a permit shall be made, in writing to the State/Regional Transport Authority by which the permit was issued, within the time specified in sub-section (2) of Section 81 and shall be accompanied by Part-A of the permit and the fees prescribed in rule 48:

Provided that the State/Regional Transport Authority may entertain an application for renewal of the permit made after the time referred to above, as per the enabling provisions sub-section (3) of section 81. Application for renewal of permit shall not be received after expiry of permit.”.

48.In the said rules, for rule 54, the following rule shall be substituted, namely;-

“54. Grant of goods carriage permit by the Regional Transport Authority for two or more region without the countersignature. -The Regional Transport Authority of any one region may subject to the provisions of Section 88 grant of goods carriage permit online to be valid throughout India.”

49.In the said rules, in rule 55, the following proviso shall be inserted, namely;-

“Provided that, in case the national permit issued by any State other than Odisha shall have a valid authorization as required under National Permit.”.

50. In the said rules, rule 56 shall be omitted.

51. In the said rules, in rule 57, -

(a) for sub-rules (1), (2), (3), (5) and (6), the following sub-rules shall, respectively, be substituted, namely;-

“(1) No goods shall be carried on the top deck of a stage carriage or contract carriage.

(2) No goods, liable to foul the inside or outside of the vehicle or to render it in-sanitary, shall be carried in stage carriage or contract carriage. No explosives or inflammable goods or materials or contraband goods or alcohol, natural or synthetic drug as defined by Central Government under Narcotic Drugs and Psychotropic Substances Act, 1985 shall be carried in any stage carriage or contract carriage.

(3) The State Transport Authority or Regional Transport Authority may specify in any permit the goods which shall not be carried in a stage carriage or a contract carriage except personal luggage of a passenger not exceeding 25 kilograms without causing inconvenience to the passengers. Carrying goods exceeding the permissible limit, the permit shall be cancelled.

(5) If the holder of a stage carriage or contract carriage permit uses as vehicle for the carriage of goods to the detriment of the public convenience State Transport Authority or Regional Transport Authority may, after giving the holder of such permit an opportunity of being heard, declare that a breach of the conditions of the permit has occurred and may thereafter proceed under the provisions of Section 86.

(6) When personal goods are carried in a stage carriage in addition to passenger, the goods shall be of such nature and shall be so packed and secured on the vehicle that no danger, inconvenience or discomfort is caused to any passenger.”; and

(b) sub-rules (4) and (7) shall be omitted.

52. In the said rules. in rule 58, for sub-rule (1), the following sub-rule shall be substituted, namely;-

“(1) The State Transport Authority or Regional Transport Authority shall have power to make regulations regulating the weight of luggage and goods which may be carried in any stage carriage or contract carriage.”.

53. In the said rules, in rule 59, -

(a) for the existing shoulder heading, the following shoulder heading shall be substituted, namely;-

“Fixation of fares of a stage carriage.”-

(b) for sub-rules (1) and (2), the following sub-rules shall be substituted, namely;-

“(1) Subject to the direction, if any, issued by the State Government under clause (i), sub-section(1) of Section 67 or by the State Transport Authority under sub-section (4) of Section 68, the State Transport Authority or Regional Transport Authority may attach to a stage carriage permit the conditions that the stage carriage in respect of which permit is granted shall carry passengers at such fares.

(2) The State Transport Authority or Regional Transport Authority may attach to a stage carriage permit the condition that not more than specified number of passengers mentioned in the Certificate of Registration shall be carried on such stage carriage.”.

54. In the said rules, in rule 59-A, for sub-rules (1), (2) and (3), the following sub-rules shall be substituted namely;-

“(1) Passengers travelling in the stage carriage shall be issued tickets by the Conductor through electronic handheld ticket issuing machine approved by Transport Commissioner.

(2) In case of advance booking, tickets to be issued through the web portal either owned by the permit holder or under contract agreement made by the permit holder with third party:

Provided that the web portal either owned or under contract with third party must obtain approval of Transport Commissioner.

(3) Tickets issued through electronic handheld ticket issuing machine by the conductor during journey or ticket booked through web portal shall be preserved by the permit holder for a period of one year and produced on demand for verification by the permit granting authority or any officer of the Odisha Motor Vehicles Department not below the rank of Traffic Sub-Inspector.”.

55. In the said rules, in rule 60, for sub-rules, (1), (2) and (3), the following sub-rules shall be substituted, namely;-

“(1) The owner or permit holder of every contract carriage other than motor cabs and auto-rickshaw, shall maintain a list of passengers travelling in Form XXXI in respect of each trip and such list shall be produced before the officers of the Odisha Motor Vehicles Department on demand or before any other officer authorised by Government for the purpose.

(2) The owner or permit holder of every contract carriage other than motor cab and auto-rickshaw shall furnish a list of passenger as provided in sub- rule (1) at the police-station of the area from which the vehicle starts or at the first police-station on the way to its destination.

(3) It shall be a condition of every permit of a motor cab or an auto-rickshaw that the vehicle shall not be driven in a public place except by the permit-holder or licensed driver duly authorised by the permit- holder in writing and that such writing shall be carried by the driver when driving and produced on demand by any Police Officer or Officer of the Odisha Motor Vehicles Department or any other officer authorised by the Government.”.

56. in the said rules, for rule 61, the following rule shall be substituted, namely;-

“61.Procedure for disposal of articles left by passengers.- The driver of a public service vehicle or conductor of stage carriage shall at the end of journey make search in the vehicle whether anything left by any passenger and shall take left out articles into his custody which shall be handed over to the permit holder or to an officer at the nearest police- station and he shall likewise take into his custody and dispose of anything so found by any other person in the manner indicated below, namely;-

(i) The responsible person at any office or station of the holder of the permit of the vehicle shall keep these articles lying with him for a period of one month and if during that period nobody comes to claim them, the property shall be deposited at the nearest police-station as unclaimed property.

(ii) If during a period of one month the claimant of the articles appears, then after verification of the claim, the articles may be disbursed to him by the responsible person at any office or station of the holder of the vehicle.

(iii) The permit holder shall keep these articles lying with him for a period of one month and if during that period nobody comes to claim the articles, the property shall be deposited at the nearest police- station as unclaimed property.

(iv) If during a period of one month the claimant of the articles appears, then after verification of the claim, the articles may be disbursed to him by the permit holder.

In case of perishable articles so found in public service vehicles, these articles will be sold as quickly as possible by the permit holder and the sale proceeds shall be kept by the permit holder for a period of one month. If no claimant turns up during this period, the amount will be deposited in the treasury.”.

57. In the said rules, in rule 62, for sub-rules (2) and (3),the following sub-rules shall be substituted, namely;-

“(2) Notwithstanding the provisions of sub-rule (1), the conductor or driver, as the case may be, may upon certificate in writing by a Registered Medical Practitioner, allow a person not suffering from an infectious or contagious disease to be carried in a public service vehicle.

(3) When a person suffering from an infectious or contagious disease, or the corpse of any such person has been carried in a public service vehicle, the driver or the conductor of the vehicle, as the case may be, shall be responsible that the fact is reported to a Medical Officer of Health Department and to the owner of the vehicle and neither the owner nor the driver shall cause to allow any person to use the vehicle until the vehicle have been disinfected in such manner as the said Medical Officer may specify and a certificate to this effect has been obtained from the said Medical Officer.”.

58. In the said rules, in rule 63,-

(a) for sub-rules (1) and (2), the following sub-rules shall be substituted, namely;-

“(1) The State or Regional Transport Authority by notification in the Official Gazette or by the erection of traffic signs which are permitted for the purpose under sub-section (1) of Section 116 or both may, in respect of picking up or setting down of passengers or both by public service vehicle or by any specified class of public service vehicles,-

(i) conditionally or unconditionally prohibit the use of any specified place, of a specified nature of class, or (ii) require that within the limits of any Municipal Corporation, Municipality, Notified Area or Cantonment or such other limits as may be specified in the notification certain specified stands or halting places only shall be so used.

(2) When a place has been notified or has been demarcated by traffic sign or both as being a stand or halting place for the purpose of this rule then, notwithstanding that the land is in possession of any person, the place shall, subject to the provision of these rules, be deemed to be a public place within the meaning of the Act

(i) specifying the public service or the class of public service vehicles which shall use the place or which shall not use the place;

(ii) requiring the local authority, to erect such shelters, lavatories and latrines and to execute such other works as may be specified in the rules or in the direction and to maintain the same in a serviceable, clean and sanitary conditions; and

prohibiting the use of such place by specified persons or by persons other than specified persons.”

(b) sub-rule (3) shall be omitted.

59. In the said rules, in rule 65, for sub-rules (1), (2), (3) and (4), the following sub-rules shall, respectively, be substituted, namely;-

“(1) Any Magistrate or any officer or the Odisha Motor Vehicles Department not below the rank of Traffic Sub-Inspector and junior Inspector of Motor Vehicles or any Police Officer in uniform not below the rank of Sub-Inspector may, at any time when the vehicle is in a public place, call upon the driver of a Transport vehicle to stop the vehicle and to keep it at

rest for such time as may be necessary to enable him to make reasonable examination of the content of the vehicle or its documents.

(2) Notwithstanding the provisions of sub-rule (1), the Police Officer or Officer of the Odisha Motor Vehicles Department shall be competent to examine the content or any goods carried in a vehicle, the Police Officer or Officer of the Odisha Motor Vehicles Department has reason to believe that the vehicle is being used in contravention of the provisions of the Act and the rules made thereunder.

(3) Any Police Officer in uniform or any officer of the Vigilance Police in plain clothes possessing identity card, or any officer of the Odisha Motor Vehicles Department may at any time when the vehicle is in a public place, call upon the driver of a public service vehicle to stop the vehicle and to keep it at rest for such time, as may be necessary to enable such officer to make reasonable examination of the number of passengers and other content of the vehicle so as to satisfy himself that the provisions of the Act and conditions of the permit in respect of the vehicle are being complied with.

(4) Any officer of Odisha Transport Engineering Service(OTES) or Odisha Sub-ordinate Transport Engineering Service (OSTES) Cadre or any officer of the Odisha Motor Vehicles Department not below the rank of sub-Inspector (Traffic) shall be entitled at all reasonable time to stop and inspect any transport vehicle and also check Registration Certificate, Permit Licence and any other documents concerned with the vehicle in any public place within his jurisdiction.”

60. In the said rules, in rule 66, —

(a) for sub rule (1), the following sub-rule shall be substituted, namely;-

“(1) The State or Regional Transport Authority may, by general or special order, require the owner of any transport vehicle to maintain records and submit returns in respect of the vehicle in such form as the authority may specify and such records and returns shall inter alia include particulars of the daily use of the vehicle in respect of the following, namely :

- i. the name and licence number of the driver and conductor and other attendants, if any;
- ii. the route upon which or the area within which the vehicle was used;
- iii. the number of Kilometers travelled;

(iv) the time of commencement and termination of a journey and any halt on a journey when the driver obtained rest;

(v) the weight of goods carried between specified places and the nature of the goods;” and

(b) sub-rule (2) shall be omitted.

61. In the said rules, in rule 67, for sub-rule (1), the following sub-rule shall be substituted, namely: —

“(1) No cattle shall be carried in a goods carriage in any public place unless, —

(a) in the case of goat, sheep, deer or pig —

(i) a minimum floor space of 0.3 square meter per head of such cattle is provided in the vehicles;

(ii) proper arrangements ventilation are made.

(iii) if carried in a double decked goods carriage, the upper deck flooring is covered with metal sheets with a minimum height of 90 centimeters raised on all four sides so as to prevent the animal waste matter such as urine, litter etc. falling on the animals on the lower deck.

(iv) proper arrangements for drainage are made on each floor, and

(v) wooden battens are provided on each floor to prevent slipping of hoofs of the animals;

(c) in the case of any other cattle-

[(i) a minimum floor space of (2 m X 1 m) per head of cattle and half of such floor space for a young one cattle is weaned is provided in the vehicle;

(ii) .the load body of the vehicle is constructed of strong wooden planks or of iron sheet with a minimum height of 1.5 meters measured from the floor of the vehicle on all sides and the back and a roof constructed of some light material is provided on the load body at a suitable height so as to allow free movement to the tallest animal that is carried and supported with post firmly fixed to the floor of the vehicle;

(iii).floor battens are provide to prevent slipping of hoofs;

(iv).every projection likely to cause suffering to an animal is moved;

(v).the cattle are properly secured by ropes tied to the sides of the vehicle.]

[**Explanation-** “Cattle” for the purpose of this sub- rule includes Goat, Sheep, Bull, Ox, Cow, Deer, Horse, Pony, Mule, Ass, Pig or the young ones thereof.]

62. In the said rules, in rule 69, for sub-rules (2), (3) and (4), the following sub-rules shall be substituted, namely;-

“(2) No person shall be carried in the cabin or load deck of a goods carriage in any manner. However a goods carriage, whose gross vehicle weight is above 3000Kg may be provided with seating accommodation at the rate of the forty-five centimeters measured along the seat excluding the space reserved for the driver, for each person and not more than four persons in all in addition to the driver.

(3) No persons shall be carried in a goods carriage except as provided in sub-rule (4) The

goods carriage above the gross vehicle weight 3000 Kg , while plying on road , shall always have a person to assist the driver and shall be seated on the extreme left of the driver in the drivers cabin. This is inclusive of the capacity as prescribed under sub- rule (2) of this rule.";

(b)sub-rule (5) shall be omitted.

63.In the said rules, in rule 71, for sub-rules (1), (2), (3), (4) and (5),the following shall, respectively, be substituted, namely;-

“(1) The driver of a public service vehicle or of a goods carriage shall display on his left side of the chest a metal badge in the form illustrated in the Third Schedule to these rules upon application made by the applicant electronically and issued electronically by and inscribed with the name of the authority by which an authorisation to drive a public service vehicle or goods carriage, as the case may be, has been granted and the word “driver” together with an identification number.

(2) Driver of a transport vehicle shall not hold more than one such badge of the same category issued by an authority in the State.

(3) The fee for the issue of badge as aforesaid shall be five hundred rupees. If the badge is lost or destroyed a duplicate badge shall be issued by the authority by which it was issued on payment of five hundred rupees.

(4) If at any time the authorisation on a driver’s licence entitling him to drive a transport vehicle is suspended or revoked by any authority or by any Court or cease to be valid, the driver shall within seven days surrender the badge to the authority by which it was issued.

(5) The driver of a public service vehicle while on duty shall display on his right side of the chest of the uniform worn by him a plate in white plastic of size 8 centimeters x 2.5 centimeters inscribed with his name in body block letters of size 0.5 centimeters in English and Odia one below the other respectively. The cost of the name plate shall be borne by the driver himself.”.

64.In the said rules, for rule 72, the following rule shall be substituted, namely;-

“72. Stage carriage to carry conductor.— No stage carriage with a seating capacity of more than six passengers excluding the driver shall be used in a public place unless it carries in addition to the driver, a conductor.”.

65.In the said rules, in rule 73, for sub-rules (2) to (5), the following sub-rules shall, respectively, be substituted, namely;-

“(2) Where any application has been made by any person in connection with grant of a stage carriage permit or a goods carriage permit under sub- section (1) of Section 71 or

Section 78, the permit granting authority shall, subsequent to the issue of the permit vary the permit or any condition therein in a manner prejudicial to any person by whom such application has been made unless the authority has afforded such person a reasonable opportunity of making an objection or suggestion and opportunity of being heard in respect of the proposed variation of the permit or any condition thereof.

(3) Notwithstanding the provisions of sub-rule (2), a Regional Transport Authority or State Transport Authority, as the case may be, may vary any stage carriage permit without affording any person an opportunity of making a representation if, in the opinion of the Regional Transport Authority, the representation made by such person in respect of the issue or of the renewal of the permit was frivolous or vexatious, if the variation of the permit or any condition thereof is in accordance with any particular or general direction issued by the State Transport Authority under sub-section (4) of section 68 or involves a question of principle which has already been decided by resolution of the Regional Transport Authority or of the State Transport Authority and which has not been modified upon appeal.

(4) Tax and additional tax under the Odisha Motor Vehicles Taxation Act, 1975 shall be regularly paid in respect of the vehicle in order to operate under the permit. In cases where tax, additional tax and penalty not paid by the permit holder, the permit shall be liable to be cancelled.

(5) In a public service vehicle except in a motor cab or maxi cab, no audio-visual appliance shall be used save with prior approval of the Commissioner or of any other officer authorised by him.

66. In the said rules, in rule 75, for sub-rules (1) to (10), the following sub-rules shall be substituted, namely;-

“(1) The Transport Authority may, from time to time —

(i) by an order in writing approve schedule rationalize timing of stage carriages running on specified routes or any other routes; or

(ii) by an order in writing approve schedule of timings for each stage carriage.

(iii) State Transport Authority to take decision to regulate all activities pertaining to public transport and to ensure Road Safety, Security and convenience of commuting public in all respect.

(2) When schedule of timings has been approved under sub-rule(1) ,every stage carriage on such route shall run in accordance with it except —

[(i) when prevented by accident or other unavoidable cause; or

(ii) when otherwise authorized in writing by the authority granting the permit.]

(3) If at any time a stage carriage is prevented from running in accordance with the approved schedule of timing from performing the service for which a permit has been granted, the holder of the permit shall on the same day report electronically the reason thereof to the authority which granted the permit.

(4) The holder of the permit shall be responsible and punishable for breach of condition under sub-rule (2) in addition to any other person who may be responsible for such breach. Where holder of stage carriage permit involved in preventing operation of another stage carriage permit holder, permit of said permit holder shall be cancelled.

(5) If the holder of a stage carriage permit proposes to withdraw the service which the vehicle covered by the permit is providing before the expiry of the permit, he shall unless prevented by unavoidable circumstances, give at least one month's notice of his intention to the Transport Authority which issued the permit and shall surrender the permit electronically on the date from which the service is withdrawn. Upon surrender of permit or receipt of intimation to withdraw the service, the permit shall be cancelled and the route will be notified in website. Non-operation of service in the given route or part thereof, the permit shall be cancelled and the route will be notified in the website.

(6) The Transport Authority may, by general order, direct that every stage carriage shall stop at such stations of its route as the Transport Authority may approve and thereupon the conductor of every stage carriage shall correctly enter in the register in Form XXXII kept at each station or in electronic means to be developed in this regard, the particulars specified therein.

(7) The driver or conductor of every public service vehicle shall maintain trip sheets serially numbered in a bound book in Form XXXIII or Form XXXIV or in electronic means to be developed in this regard as the case may be, in English or in one of regional languages of the State.

(8) Trip sheets shall—

[(i) be carried by the conductor or, in case there is no conductor, by the driver, whenever the vehicle is in use;

(ii) be duly filled up daily by the conductor or, in case there is no conductor, by the driver, and

(iii) be open to inspection by any Police Officer not below the rank of Sub-Inspector or any officer of the Motor Vehicles Department not below the rank of Traffic Sub-Inspector.]

(9) Every holder of a permit shall, in respect of every public service vehicle specified in the permit, maintain in English or in Odia a trip register in Form XXXV in bound book of which the pages are serially numbered or in electronic means to be developed in this regard. The

trip register shall be pasted daily from the trip sheets maintained under sub-rule (7) and be at all times open to inspect by any Police Officer not below the rank of Sub-inspector or officer of Motor Vehicles Department not below the rank of Traffic Sub-inspector or any Magistrate.

(10) The destination to which the stage carriage is proceeding or is about to proceed shall be clearly stated in English and in Odia on boards at conspicuous place on the front and rear of the vehicle. Fare chart shall be displayed in every stage carriage including the nature of service and category of bus. Stage carriage operating as contract carriage permit granted under sub-section(8) of section 88 or section 87 of the Act shall display front and rear of the vehicle "CONTRACT CARRIAGE" having letter size 300 mm x 300 mm in black letters on white background. The owner of vehicle shall furnish passenger list electronically in advance before commencement of journey to the concerned Registering Authority where tax is being paid."

67.In the said rules, for rule 76, the following rule shall be substituted, namely;-

"76. Intimation of damage or failure of public service vehicles .—The permit holder of a stage carriage or contract carriage shall, within seven days of the occurrence, report electronically to the Transport Authority by which the permit was issued any failure of or damage to, such vehicle or to any part thereof of such a nature as to render the vehicle unfit for use in accordance with the conditions of the permit for a period exceeding thirty days."

68.In the said rules, in rule 77, for sub-rules (1), (3), (4) and (5), the following sub- rules shall, respectively, be substituted, namely;-

["(1) Every driver of a goods carriage shall maintain in English or Odia language record in Form XXXVI electronically each day, on which he was employed in driving and all information prescribed in the Form.

(3)The record in such form shall be carried by the driver till he has completed his journey, and shall while in his custody, be open for inspection by any person, authorised to stop and inspect a goods carriage. The driver shall deliver the record to the holder of the permit for the goods carriage within seven days.

(4)The permit holder shall preserve the record in such form for two years after expiry of the period to which it relates and shall produce it for inspection at any time within that period on demand by the Officer of the Odisha Motor Vehicles Department not below the rank of Traffic Sub-Inspector or by a Police Officer not below the rank of Sub-Inspector.

(5)The permit holder shall send Goods Carriage Record electronically for each month to the concerned Regional Transport Officer before the tenth day of the succeeding month."]

69. In the said rules, for rule 78, the following rule shall be substituted, namely;

“78. Duties of driver of a public service vehicle. — The driver of a public service vehicle shall —

- (i) as far as may be reasonably possible having regard to his duties be responsible for the observance of the provisions of the Act and rules made thereunder;
- (ii) not smoke or in drunken condition or under the influence of drug while on duty;
- (iii) behave in a civil and orderly manner to passengers and intending passengers;
- (iv) be dressed cleanly and in the manner in which the Regional Transport Authority may specify;
- (v) maintain the vehicle in a clean and sanitary condition;
- (vi) not solicit customer save in a civil and quiet manner;
- (vii) not interfere with persons mounting or preparing to mount upon any other vehicle;
- (viii) not allow any person to be carried in any public service vehicle in excess of the seating capacity specified in the certificate of registration of the vehicle and any additional numbers permitted under the terms of the permits to be carried standing in the vehicles;
- (ix) save for good and sufficient reason, not refuse to carry any person tendering the legal fare;
- (x) where goods are carried on the vehicle in addition to passengers, take all reasonable precautions to ensure that passengers are not endangered or unduly inconvenienced by carriage of the goods;
- (xi) save for good and sufficient reason, not require any person who has paid the legal fare to alight from the vehicle before the conclusion of the journey;
- (xii) not loiter or unduly delay upon any journey but shall proceed to his destination as nearly as may in accordance with the time-table.;
- (xiii) in the event of a stage carriage being unable to proceed to its destination on account of mechanical break down or other cause beyond the control of the driver, the conductor shall arrange to convey the passengers to their destination in some other similar vehicle or if unable to do so within a period of half an hour after the failure of the vehicle, shall refund to each passenger the proportion of the fare relating to the completion of the journey for which the passenger has paid the fare;
- (xiv) in the case of a stage carriage or contract carriage shall not cause or allow anything to be kept in such a manner as to obstruct the entry or exit of passengers;
- (xv) not permit the public service vehicle to be used for an illegal or immoral purpose;
- (xvi) not permit any fuel to be poured into the tank while the engine is in motion;

- (xvii) not cause or allow any person, animal or thing to be placed in the space reserved for the driver's seat in accordance with rule 112 or otherwise in such a way as to impede him in having a clear vision of the road or proper control of the vehicle;
- (xviii) not shout in order to attract a passenger;
- (xix) subject to any rule or regulation in force, prohibiting the picking up or setting down of passengers or except at certain places, bring the vehicle to rest for a period of sufficient time in a safe and convenient position upon the demand or signal of the conductor or any passenger desiring to alight from the vehicle and unless there is no room in the vehicle, upon the demand or signal of any person desiring to become a passenger;
- (xx) when bringing his vehicle to rest for the purpose of taking up or setting down passengers or near the place where another public service vehicle is at rest for the same purpose, not drive so as to endanger, inconvenience or interfere with the driver or conductor of other vehicle or any person mounting or preparing to mount thereon or alighting there from and shall bring his vehicle to rest in front of or behind the other vehicle and on the left hand side of the road or place; and
- (xxi) at all times exercise all reasonable care and diligence to maintain his vehicle in a fit and proper condition and shall not knowingly drive the vehicle when any brake, tyre, tube or lamp thereof, is in a defective condition likely to endanger any passenger or other person or when there is not sufficient fuel in the tank of the vehicle to enable him to reach the next filling or charging station on the route.”.

70. In the said rules, in rule 79, for sub-rules (2), (3) and (4), the following sub-rules shall, respectively, be substituted, namely;-

“(2) A passenger in a Stage Carriage shall not —

- [(i) behave in disorderly manner, or
- (ii) behave in a manner likely to cause annoyance to any female passenger, or
- (iii) use abusive language, or
- (iv) molest any other passenger, or
- (v) spit inside the carriage, or
- (vi) obstruct the conductor or the driver in performing his duties, or
- (vii) interfere with the working of the vehicle, or
- (viii) refuse to alight from the vehicle or being asked to do so by the conductor or any other authorised person if, he is reasonably suspected to be suffering from any contagious or infectious disease, or
- (ix) commit or abet any offence under the Act; or
- (x) try to alight from the vehicle without paying the legal fare ; or

(xi) smoke or drink or consume drug or chew tobacco or spit; or

(xii) carry any inflammable substance or item prohibited under Narcotic Drugs and Psychotropic Substances Act or liquor or smoking articles.]

(3) A passenger shall, when requested by the driver, conductor or any authorised person,—

[(i) produce during the journey the ticket issued to him/her,

(ii) leave the vehicle on the completion of the journey for which he/she has paid the fare, and]

(4) Any passenger who contravenes or abet the contravention of any of the provisions of sub-rules (1), (2) and (3) shall, besides being guilty of an offence on being required by the driver, conductor or any Police Officer not below the rank of sub-Inspector of Police or officer of the Motor Vehicles Department not below the rank of Traffic Sub-Inspector or Jr. Inspectors of Motor Vehicles on their request alight from the vehicle forthwith and if such passenger fails to comply with such requirement, the driver or conductor or such Police Officer or officer of the Motor Vehicles Department may remove him/her from the vehicle. Such passenger shall not be entitled to refund of any fare which he/she might have paid. The driver or the conductor may stop the vehicle and keep it standing until the passenger alights from the vehicle.”.

71. In the said rules, for rule 80, the following rule shall be substituted, namely;-

“80. Carriage of children and infants in a public service vehicle:-

[(i) a child of not more than twelve years of age shall be reckoned as one-half;

(ii) a child of not more than three years of age shall not be reckoned ; and

(iii) a blind or other physically handicapped person shall be allowed to travel in a public service vehicle with full exemption of fare or on payment of a part thereof as may be notified by the Government.”.]

72. In the said rules, rule 81 shall be omitted.

73. In the said rules, in rule 83,-

(a) sub-rule (1) shall be omitted, and

(b) for sub-rule (2), the following sub-rule shall be substituted, namely;-

“(2) A transport vehicle owned by any religious or charitable non-profit making institution recognised as such by the Government and used solely for the transport of its members, employees or goods as may be notified by the Government from time to time shall be deemed to be used for other public purpose under clause (f) of sub-section (3) of Section 66.”.

74. In the said rules, in rule 84,—

(a) for sub-rule (1) excluding the proviso thereto, the following sub-rule shall be substituted, namely;-

“(1) Application for grant or renewal of permanent permit, grant of special and temporary permit shall be made online. Application for renewal of permit shall be made online before expiry of permit. No application for renewal of permanent permit shall be made or considered after expiry of permit.” and

(b) sub-rules (3) to (8) shall be omitted.

75. In the said rules, rule 85, shall be omitted.

76. In the said rules, for rule 86, the following rule shall be substituted, namely;-

“86. Hearing of application. — An application for a permit which is considered at a meeting of a Transport Authority shall be entitled to appear and conduct his case in person or through a lawyer or other person duly authorised in his behalf online.”

77. In the said rule, rules 87 and 88 shall be omitted.

78. In the said rules, in rule 89, —

(a) sub-rules (1) and (2) shall be omitted and

(b) for sub-rule (3), following sub-rule shall be substituted, namely;-

“(3) Application for replacement of vehicle shall be made to the Transport Authority online which granted the permit. The vehicle proposed to be replaced shall be of new or higher model and higher in terms of BS compliant.”.

79. In the said rules, in rule 90, -

(a) for sub-rule (1), the following sub- rule shall be substituted, namely;-

“(1) The permit granting authority granting permission for the replacement of a vehicle under rule 89 shall also countersign the permit granted by the primary granting authority and make endorsement in the counter signature.” and

(b) sub- rule (2) shall be omitted.

80. In the said rules, in rule 91, —

(a) for sub-rule (2), the following sub-rule shall be substituted, namely;-

“(2) The State or Regional Transport Authority may summon both the parties to the application to appear before it for hearing and may, if it deems fit, dispose of the application and pass reasoned order as if it were an application for a permit and the endorsement of transfer of permit shall be made online.”; and

(b) sub- rules (3) and (4) thereof shall be omitted.

81. In the said rules, for rule 92, the following rule shall be substituted, namely;-

“92. Control of the goods carriage by Transport Authority.□ The State Transport Authority or Regional Transport Authority, as the case may be, may by general order direct that timing register of goods carriage shall be filled up online in Form XXXVII before commencement of journey in each trip.”.

82. In the said rules, in rule 94,-

(a) for sub-rule (1), the following sub-rule shall be substituted, namely;-

“(1) Passenger travelling in any stage carriage or any public service vehicle may lodge complaint to the State or Regional Transport Authority online and Permit granting authority shall enquire into the complaint and take appropriate action as per law.”; and

(b) sub- rules (2), (3), (4) and (5) shall be omitted.

83. In the said rules, for rule 98, the following rule shall be substituted, namely;-

“98. Rear view Mirror:- The rear view mirror shall be fitted in all motor vehicles as per the standard prescribed under AIS 001 & AIS 002.”.

84. In the said rules, rule 99 shall be omitted.

85. In the said rules, for rule 100, the following rule shall be substituted, namely;-

“100. Restrictions regarding television set , video display unit, radio or tape recorder type of devices in motor vehicles. Television set or video display unit or radio or tape recorder type of devices shall not be used or kept for use in any public service vehicle:

Provided that a display unit of size not exceeding 12 inch can be fitted in front of each passenger seat for viewing by the passenger with privacy of sound system through head phone:

Provided further that such system shall not have any direct or indirect impact upon the driver of the vehicle.”.

86. In the said rules, for rule 106, the following rule shall be substituted, namely ;-

“106. Body construction:- The body of every public service vehicle shall be securely fastened to the chassis of the vehicle and the construction of body shall be in accordance with the standard notified under the Central Motor Vehicles Rules,1989, from time to time.”.

87. In the said rules, in rule 108,-

(a) sub- rules (1) to (11-A), (13) and (14) shall be omitted; and

(b) for sub-rule (12), the following sub-rule shall be substituted, namely;-

“(12) Inspection of the motor vehicle for fixation of the seating capacity under this rule shall be conducted by the Inspector of Motor Vehicles or in his absence by the Assistant Motor

Vehicle Inspector or Junior Inspector of Motor Vehicles or by any other Officer of Odisha Transport Engineering Service authorized by the Commissioner.”.

88. In the said rules, rules 109 and 110 shall be omitted.

89. In the said rules, for rule 111, the following rule shall be substituted, namely ;-

“111. Conditions for carrying standees.- Passenger may be carried standing on the deck of any stage carriage under non deluxe & standard deluxe type as per AIS 052 if there is fixed to the roof of the gang-way a grabber with hanger straps:

Provided that the number of standees shall, in no case, exceed the number arrived at by dividing the length of gang-way or gangways in centimeters provided in the vehicle by 40.”.

90. In the said rules, rules 113 to 122 shall be omitted.

91. In the said rules, rule 126 shall be omitted.

92. In the said rules, rules 128 and 129 shall be omitted.

93. In the said rules, in rule 129-A , for sub-rules (2) to (9), the following sub-rules shall be substituted, namely;-

“(2) A ‘pollution under control’ certificate issued under this rule shall be valid for a period as prescribed under the Central Motor Vehicles Rules, 1989.

(3) The amount of pollution testing fees in respect of the categories of vehicles shall be charged at the rate specified against each such category as mentioned in the Table given below:-

Sl. No.	Type of Vehicle	Revised rates(including cost of the computerized photo)
1	2 & 3wheelers	Rs.100.00
2	Light Motor Vehicle	Rs.150.00
3	Medium & Heavy Motor Vehicle	Rs.200.00

(4) An application for grant or renewal of authorisation for pollution testing centre shall be made electronically to the Registering authority of the jurisdictional area and for such authorisation a fee of rupees ten thousand shall be charged:

Provided that no such application shall be entertained unless the same is accompanied by a receipt showing payment of fee of rupees ten thousand paid online and the security deposit of rupees fifty thousand .

(5) The Registering Authority may, on receipt of an application under sub-rule (4), grant or renew authorisation electronically. Where grant or renewal of an application is refused, the registering authority shall intimate electronically to the applicant specifying the reasons for such refusal and refund the security deposit in full and fifty percent of the fee paid and issue a refund voucher.

(6) The authorisation issued or renewed under sub- rule (5) shall be in respect of such area as mentioned there and shall be valid for a period of one year:

Provided that application for renewal of an authorisation shall be made not less than thirty days before the date of its expiry:

Provided further that an application for renewal of an authorisation made after the date specified above may be entertained on payment of an additional fee of rupees one thousand for delay of each year or part thereof.

(7) The Registering Authority while considering an application for grant of renewal of an authorisation under these rules, shall have regard to the following matters namely:□

(a) that in case the applicant intend to obtain Mobile Pollution Testing center, the applicant must have a transport vehicle with valid documents in his name and capable of accommodating the testing equipment and its accessories:

Provided that, the said vehicle shall not be older than eight (8) years. In case the vehicle is more than eight-year-old at any point of time during the validity of authorization issued under this rule , the holder of authorization shall replace the vehicle to appropriate vehicle as prescribed above :

Provided further that, the holder of authorized pollution center may change the center from mobile to static and vice versa during the validity of authorization subject to fulfillment of relevant condition as applicable.

(b) that the applicant at the time of making an application possess-

(i) a smoke meter of the type approved under sub-rule (3) of rule 116 of the Central Motor Vehicles Rules, 1989 ; and

(ii) an instrument for the measurement of carbon monoxide and hydrocarbons of the type approved under sub-rule (3) of rule 116 of the Central Motor Vehicles Rules, 1989;

(c) that the applicant and his staff are duly qualified to test and repair vehicles with regard to emission ;

(d) that adequate space available for testing of vehicles;

(e) that the applicant is financially sound to maintain the pollution testing centre;

(f) that in case of renewal, the past conduct of the applicant and performance of the pollution testing centre are satisfactory; and

(g) any other matter as may be deemed fit by the Commissioner.

(8) (i) The pollution testing centre shall-

(a) maintain a register in following digital format and record all correct and complete particulars required under different columns therein neatly in respect of every vehicles tested.

FORMAT

(1)	(2)	(3)	(4)
Registration No. of the Vehicle	Make, Model and date of first Registration of the Vehicle	Carbon Monoxide, hydro carbon oxides of nitrogen emission level (as the case may be) at the time of test before adjustment and tuning	Date and time of test.
(5)	(6)	(7)	
Signature of the Person Conducting the test.	Details of Certificate issued.	Signature of the Authorised Person who signed the Certificate	

(b) issue "Pollution under control" certificate in Form-59 of the Central Motor Vehicles Rules, 1989 electronically only in respect of every vehicle, if the standard of pollution in

relation to such vehicle is found, after the test, to be within the limit prescribed under sub-rule (2) of rule 115 of the Central Motor Vehicles Rules, 1989;

(c) issue a certificate to the owner of the vehicle, if the pollution standard of a vehicle is found after test to be contravening the limit prescribed under sub-rule (2) of rule 115 of the Central Motor Vehicles Rules, 1989 and the vehicle requires major repairs to control the emission level, giving the detailed particulars and the result of the test and repairs recommended in Form-59A as per Central Motor Vehicles Rules, 1989 ;

(d) produce all records maintained for inspection on demand by any officer of the Odisha Motor Vehicles Department not below the rank of Assistance Sub- Inspector of Traffic or Junior Inspector of Motor Vehicles or any other officer authorised by the Commissioner;

(e) allow any officer of the Odisha Motor Vehicles Department on this behalf to inspect the pollution testing centre with regard to the efficiency of the equipments, procedure. followed for testing of vehicles, issue of "Pollution Under Control Certificates", behavior of the staff towards the vehicle owners and the representatives and other aspects of working of the testing centre;

(f) keep in the centre an up-to-date copy of the Motor Vehicles Act, 1988, together with Central Motor Vehicles Rules, 1989 and Odisha Motor Vehicles Rules, 1993 and relevant notifications which shall be referred to in case of any doubt entertained by any vehicle owner or his agent producing the vehicle for test;

(g) obey all directions/instructions issued by the Commissioner, from time to time.

(h) maintain proper record of vehicles checked for pollution levels in the centre in the prescribed format and submit monthly reports to the Commissioner by fifth of the succeeding month;

(i) not alter its place or Vehicle of business specified in the authorisation without prior approval of the issuing authority / Commissioner;

(j) not alter its place of business specified in the authorisation without prior approval of the Commissioner;

(k) maintain proper record of vehicles checked for pollution levels in the centre in the prescribed format and submit monthly reports to the Commissioner by fifth of the succeeding month; and

(l) suspend the testing activities if on inspection the instruments found not to be in conformity with the standard calibrated valves, till the instruments is rectified and calibrated to the satisfaction of the authorised officer.

(ii) The Registering Authority may by issuance of order in writing cancel an authorisation or suspend it for such period as he thinks fit, after giving the applicant concerned a

reasonable opportunity of being heard, and if he is satisfied that any of the provisions of this rule has been contravened by a pollution testing centre.”.

94. In the said rules, for the heading appearing after rule 131, following heading shall be substituted, namely;-

“Special Rules applicable to motor cabs and stage carriages”

95. In the said rules, after rule 134, the following new rule shall be inserted, namely;-

“134A. Approval of Electronic hand-held Ticket issue machine and web portal for issue and advance booking of stage carriage ticket:-

The Transport Commissioner, from time to time, shall issue guide lines and standard operating procedure including the Format for ticket for approval of electronic hand-held ticket vending machine and web portal.”.

96. In the said rules, for rule 142, the following rule shall be substituted, namely;-

“142. Fee for test of taxi meter— Following fees shall be charged for the test of taxi meters, namely :—

- i. For a test of meter of approved type- Rs.1000/-(Rupees One thousand)
- ii. For re-test. Rs 500/- (Rupees five hundred)”

97. In the said rules, in rule 146, for sub-rule (1), the following sub-rule shall be substituted, namely;-

“(1) An appeal under rule 145 shall be preferred in duplicate in the form of a memorandum setting forth concisely the grounds of objection to the order of the Chairman, State Transport Authority, and shall be accompanied by a fee Rs.500 (Rupees five hundred) in cash and certified copy of that order.”.

98. In the said rules, rule 151 shall be omitted.

99. In the said rules, after rule 162, the following new rules shall be inserted, namely;-

“162A. Regulation of activities and access of non-motorised transport and pedestrians:-

(1) To ensure regulation of activities and access of non-motorised transport and pedestrians to public road and national highways, the Regional Transport Officer shall regulate activities related to vulnerable road users within its jurisdiction.

(2) Reduction of Non-motorised transport user exposure to motorized vehicular traffic shall be in the following manner, namely:—

(i) The Lead Agency shall ensure that Works Department, other road owning departments and National Highways Authority of India demarcates designated street space for pedestrians, cyclists and other non-motorized road users such as foot paths, cycling tracks, foot over bridges etc., on all roads and highways in the State.

Explanation.— For the purpose of these rules, “non-motorized transport” means any mode of transport that is propelled, powered by muscular power of either human beings or animals.

(ii) The Lead Agency shall ensure that the Works Department, other road owning departments and National Highways Authority of India provides pedestrian crossing facilities in every two kilometers on stretches of highways under its jurisdiction, passing through inhabited areas.

(iii) The Lead Agency in consultation with the Police and Works Department, other road owning departments and National Highways Authority of India shall be responsible for identifying roads where private vehicle movement should be prohibited and such designated roads shall be transformed to “pedestrian only” zones.

(iv) The Lead Agency shall ensure that the Works Department, other road owning departments and National Highways Authority of India demarcates cycling paths and footpaths in all new and upgraded roads in the State especially in high-density residential areas and major places of employment as required under the Odisha State Road Safety Policy for safety of vulnerable road users.

(v) The Police shall ensure that a person who drives a motor vehicle shall maintain a safe distance, as prescribed by the Government while overtaking or passing non-motorized transport or pedestrians.

(vi) The Lead Agency shall ensure that the Works Department, other road owning departments and National Highways Authority of India shall ensure that walking infrastructure for pedestrians such as pedestrian crossways, subways and foot over bridges is incorporated at the design stage of roads. Fines equivalent to one percent of the total contract amount shall be mandatorily imposed upon contractor in cases where new roads do not have adequate walking infrastructure, which shall be deposited in the State Road Safety Fund.

(3) Reduction of vehicle speed in demarcated zones shall be made in the following manner, namely;-

(i) The Lead Agency shall ensure that the Police as part of the Strategic Traffic Safety Action Plan shall implement traffic calming measures. Works Department shall ensure construction of rumble strips and provision of zebra crossings for safe passage of vulnerable pedestrians at vulnerable stretches (near schools, hospitals, market areas), where there are large volumes of Non Motorised Transport movement, as specified by the Lead Agency.

(ii) The Lead Agency shall ensure that the Works Department, other road owning departments and National Highways Authority of India implements Tactical Urbanism Trial at accident-prone zones prioritizing zones with pedestrians and vulnerable road users as the largest victim category and based on the trials accordingly implement tactical redesign for the safety of vulnerable road users.

(iii) The Lead Agency shall ensure that the Works Department, other road owning departments and National Highways Authority of India demarcates slow zones/special speed zones for pedestrians on all roads, especially residential areas and areas designated as black spots, and restrict the entry of heavy vehicles (except emergency vehicles) in these zones. The Lead Agency may, in consultation with Police, decide and notify speed limits for enforcement.

(iv) The Lead Agency shall ensure that the Works Department, other road owning departments and National Highway Authority of India shall, for streets where the right-of-way is 12 m or less and that do not require access for public transport vehicles, employ shared space design ensuring that vehicle speeds are slow enough for the safe intermingling of vehicles and pedestrians (approximately 15 km/hr or maximum speed of 20km/hr).

(v) For streets with a right-of-way of 12 m or less that serve as mobility corridors for public transport, the Government shall ensure that the Works Department, other road owning departments and National Highways Authority of India provides segregated and unobstructed footpaths on both sides of street that have at least 2m of clear width for the safety of pedestrians.

(vi) The Lead Agency shall implement safe speed limits for human and vehicular interaction not more than 40km/hr, vehicle to vehicle head on interaction- 60km/hr, nointeraction-80km/hr and signs for safe speed limits provided on all roads.

(vii) The Lead Agency shall ensure that the Police conducts spot speed survey to analyze the current speeding practices affecting Non-Motorised Transport and shall accordingly undertake speed calming measures.

(4) Conspicuity of Non-Motorised Transport users shall be in the following manner, namely;-

(i) The Lead Agency shall ensure that the Works Department, other road owning departments and National Highways Authority of India maintains the height of trees in roads so that it does not hinder the visibility of all road users. Tree canopies shall have a minimum clearance of 3 m from the surface of the footpath to ensure better visibility for pedestrians.

(ii) All manufacturers of non-motorized transport shall provide adequate and appropriate reflectorizing material and helmets at the time of sale, to provide protection to persons on non-motorized transport such as bicycles, etc.

(5) Enforcement and monitoring of the safety of Non-Motorised Transport users and pedestrians shall be in the following manner, namely:-

(i) The Lead Agency shall ensure that the Police collects the annual data on Non-Motorised Transport user behaviour with regard to gender, age, income profiles, cordon count data of Non-Motorised Transport volumes and mapping of Non-Motorised Transport crashes to identify black spots in order to make appropriate interventions for Non-Motorised Transport safety.

(ii) The Lead Agency shall ensure that the Works Department, other road owning departments and National Highway Authority of India implements the latest engineering interventions specifically for pedestrian safety as attenuating measures by way of engineering interventions will lead to a decrease in pedestrian fatalities.

(iii) The Police Officer not below the rank of Asst. Sub-Inspector of Police or Officer of Odisha Motor Vehicles Department not below the rank of Asst. Sub-Inspector (Traffic) shall prosecute a person who drives a motor vehicle in contravention of these rules punishable under the Motor Vehicles Act, 1988, except—

(a) it was necessary to do so to ensure safety of passengers in the motor vehicle;

or

(b) to avoid a collision on the road. The Police shall ensure non-encroachment of Non-Motorised Transport zones and prosecute encroachers.

[Note:-For the purpose of these rules, “Lead Agency” means an agency constituted by Government to act as secretariat of the State Road Safety Council and to co-ordinate all activities relating to road safety and other matters as may be specified by Government, from time to time, by notification, in the State consisting with members of different departments and offices and National Highways Authority.]

162B. Role of implementing authority:-

(1) The Lead Agency on Road Safety shall be implementing authority and ensure that all applicable design, construction and maintenance standards are implemented as per the prescribed rules.

(2) The Lead Agency, shall be the Nodal Agency to ensure that the applicable design, construction and maintenance standards are implemented by Works Department as per the prescribed rules for all roads under its jurisdiction, i.e. State Highways, Major District Roads, Other District Roads and Urban Roads. National Highways Authority of India shall

ensure that the applicable design, construction and maintenance standards relating to all roads built by it in Odisha are implemented as per the prescribed rules, norms, design and standard.

(3) Lead Agency shall be the Monitoring body to monitor implementation of design, permits, compliance etc. as prescribed in these rules.

(4) The Lead Agency shall ensure that the causal factors for road crashes linked to road provided on National Highways passing through Odisha not covered by NHAI, State Highways, Expressways, major district roads and link roads in rural areas, are addressed. The Engineer-in- chief (Design & Planning) of the Works Department and such other designated officials of the Lead Agency shall be responsible and ensure adherence to the same. While implementation will be carried out by the concerned department or authority, overall coordination will be the responsibility of the Lead Agency.

(5) The Lead Agency shall ensure that in all urban areas of Odisha, the Design of Urban Roads – Code of Practice and IRC:86-2018 – Geometric Standards for Urban Roads and Streets and other such standards as prescribed by the Government shall be implemented on all urban roads. The adherence for the same shall be checked by the Monitoring Agency.

(6) The Lead Agency shall ensure that the latest publication of standards and guidelines published by the Indian Road Congress, as may be applicable, or any other instructions or guidelines issued from time to time, are strictly adhered to during the design stage.

(7) The Lead Agency shall ensure road safety audit during the design stage to be done through independent Road Safety Experts or independent Engineer or Authority Engineer or Road Safety Experts engaged by Works Department as per Notification No RWINH-29011 10112020-S&R (P&B) issued by the Ministry of Road Transport & Highways as amended from time to time.

(8) The Lead Agency shall ensure that all road construction contracts expressly require the Chief Engineer to immediately report any fraudulent activity or malpractice at the design stage.

(9) Monthly progress report of every road infrastructure project in all roads and State highways of Odisha and National Highways Authority of India shall be submitted to the Lead Agency.

(10) The Lead Agency shall ensure that the audit during the design stage to check that the IRC Guidelines, the Design of Urban Roads

– Code of Practice and other relevant design standards are adhered to and the Lead Agency shall further check that the findings of the audit are accordingly implemented in a timely manner.

(11) The Lead Agency shall ensure quarterly summary audits of all existing National Highways passing through Odisha not covered by NHAI, State Highways, Express ways, major district roads and link roads in rural areas, shall identify occurrences of the most common engineering issues and rectify the same within a reasonable period of time.

(12) The Road Safety Policy of Odisha, 2015 envisages a frame work for implementation of best practices in the design stage of roads. The Lead Agency shall ensure adherence to global best practices for road engineering, including but not limited to—

- (a) Tactile Shoulder Lines on the shoulders of the roads,
- (b) installation of Deflected Bull Nose for crash barriers,
- (c) removal, relocation, or protection of all hazards on the clear zone of the road (6-8m from the shoulder),
- (d) installation of Road Delineators, wherever required, as per IRC: 79-2019 (Recommended Practice for Road Delineators), to provide visual assistance to drivers about the alignment of the road ahead, especially at night.

(13) Construction Standards for roads in the State shall be as follows:—

(i) The Concessionaire shall undertake and procure all construction works in accordance with agreed guidelines including Ministry of Road Transport and Highways and Indian Road Congress specifications or any other guidelines as detailed out in Model Concession Agreement.

(ii) The Lead Agency shall ensure adherence to guidelines and Standard Operating Procedure for quality control /assurance in construction of National Highway passing through Odisha to be as per Notification No.RW/NH-34066/01/2020-QCZ issued by the Ministry of Road Transport and Highways.

(iii) The Concessionaire where appointed shall provide to the Lead Agency copies of the monthly and quarterly construction progress reports, the payment reports of the Contractor and all reports relating to quality assurance, design and construction verification.

(iv) The Lead Agency shall ensure road safety audit during design stage to be done through Independent Road Safety Experts of Independent Engineer or Authority Engineer and / or Road Safety Experts engaged by Works Department as per No.RWINH-29011 10112020-S&R (P&B) issued by Ministry of Road Transport & Highways, to assess the quality standards of construction materials used and labour provided in order to prevent fraudulent activities, and to ensure that the best engineering interventions, as specified in

IRC: SP: 55-2014 -Guidelines on Traffic Management in Work Zones or the latest applicable Indian Road Congress Code or Guidelines, are implemented.

Explanation.— The road safety auditor shall be employed as per the specifications in Indian Road Congress SP: 88-2019 or the latest applicable Indian Road Congress Codes.

(v) The Lead Agency shall ensure that all State Road projects meet the recommendations as per the audit during the construction stage.

(vi) The Monitoring Agency shall check that the construction standards are strictly adhered to for all ongoing and upcoming roadways projects.

(vii) The Lead Agency shall ensure that dedicated rest spots for trucks (Truck Terminus, Truck lay- byes) at regular intervals along a road corridor to facilitate easy access and low cost rest stops for truck drivers with wayside amenities such as safe parking, food, repair and other necessary services.

(viii) The Lead Agency shall ensure dedicated vehicular lay-byes on non-urban roads to be used as a safe waiting space for all vehicle types in the event of an emergency such as safe parking of broken-down vehicles while waiting for help, be provided on all roads.

(ix) The Lead Agency shall ensure that proper Road Markings including but not limited to Centre Line, Edge line and Ghost Island markings, Chevron Markings and Transverse Bar Markings adhering to IRC: 35-2015 -Code of Practice for Road Markings, are provided and is regularly maintained on all the roads.

(x) The Lead Agency shall ensure that all relevant road signages as per IRC:67-2012 - Code of Practice for Road Signs are provided on all roads.

(xi) The Lead Agency shall ensure that installation of crash barriers along steep drop offs and high- speed corridors (above 80km/hr), as per IRC : 119 -2015 or the latest applicable IRC Standards to prevent steep-slope drop-offs, interaction with concrete structures, and unplanned gaps in the median;

(xii) The Lead Agency shall ensure that kilometer Markings on high speed corridors every 100 meters, 500 meters, or one kilometer as per IRC: 8-1980, 25-1967, 25-1967, are painted on the road as well as marked on the crash barriers and shall be water proof lasting for a minimum of two years.

(xiii) The Lead Agency shall ensure treatment of intersections through Tactical Urbanism methodology:

Provided that as and when the Indian Road Congress Standards are updated, the latest applicable road standards shall be accordingly implemented within 5 years in a phased manner prioritizing treatment of black spots.

(xiv) The Lead Agency shall ensure that the on- going construction activities are as per the safety measures & best engineering interventions specified in IRC: SP: 55-2014 - Guidelines on Traffic Management in Work Zones or the latest applicable Indian Road Congress Code or Guidelines.

(14) Maintenance Standards for roads in the State shall be as follows:—

(i) The Lead Agency shall monitor the implementation of the maintenance norms applicable for different roads in the State on a quarterly basis and shall promptly inform the concerned road owning department or concessionaire or contractor of any violations, providing specific deadlines for rectifying errors. Maintenance of roads and highways includes but not limited to repair works.

(ii) The Lead Agency shall ensure that effective maintenance & repair/ improvement of such stretches of National Highways entrusted with the State Government such as intensive intervention requiring rehabilitation, minor repairs such as potholes and patch repairs and other such factors as specified in Notification No. RW/G-23012/01/2019-W&A (Pt. III) issued by the Ministry of Road Transport and Highways are addressed.

(iii) The Works Department and Lead Agency shall ensure that penalties as specified in Section 198 A of the Motor Vehicles (Amendment) Act, 2019 are imposed in a time sensitive manner i.e. if the penalty is not paid in a timely manner and if the infrastructural flaw is not rectified, contract of the concerned contractor or concessionaire shall be terminated.

(iv) The Lead Agency shall ensure that if any road is in a damaged condition or under repair, adequate warning notices through road signs are displayed at prominent areas of the road and shall be treated for safety as per IRC: 82-2015 - Code of Practice for Maintenance of Bituminous Road Surface, IRC:SP: 83-2018-Guidelines for Maintenance, Repair & Rehabilitation of Cement Concrete Pavements or the latest applicable standards, by the designated authority responsible for the maintenance of the road within a reasonable period of time.

(v) The Lead Agency shall ensure closure of unauthorised access points, i.e. illegal access or entry point to and within the State Highways:

Provided that the Engineer-in-Chief (Design and Planning) or the relevant Chief Engineer shall ensure adequate accessibility and mobility for all road users.

(vi) The Lead Agency shall have the power to receive and investigate complaints from the public through grievance/ redressal mechanism.

(vii) The Lead Agency shall ensure that a designated independent engineer conducts timely audits on toll roads to be completed within 30 days' time frame and ensure that the audit findings are implemented within a reasonable period of time.

(viii) The Lead Agency shall ensure general maintenance including trimming of vegetation on a periodic basis based on the findings of the audit and the maintenance work shall be completed within 90 days of submission of audit findings.

(ix) The Lead Agency shall ensure preemptive maintenance before the beginning of a season to adjust to the conditions of the season.

(x) Lead Agency shall ensure fixed accountability for undue delay in timely implementation of maintenance and repair work resulting in deterioration of pavements.

162C. Other responsibility of the Lead Agency.— The Lead Agency shall be responsible—

(i) to work as a Secretariate for the State Road Safety Council, arrange meetings of the Council issues, its minutes and monitor the implementation of the decisions of the Council by the concerned Departments of the state;

(ii) to coordinate with the concerned Departments of the State Government to ensure implementation of the directions issued from time to time by the Supreme Court Committee on Road Safety and furnish compliance report in a time bound manner;

(iii) to ensure implementation of the directions given by the Central Government from time to time;

(iv) to notify annual targets for reductions of road crash and fatalities as fixed by the State and draw up an Annual Action plan to achieve the targets and monitor its implementation;

(v) to collate on a regular basis road crash data and analyse to identify areas/ road stretches and categories of crash victims who should be focused upon;

(vi) to manage the Road Safety Fund and ensure that the fund is effectively used;

(vii) to co-ordinate all activities such as licensing issues including issues of Driving Licenses, Registration of vehicles, Road Safety and features of Vehicles along with other allied matters including emission norms; and

(viii) to take steps on any other matter relating to Road Safety to be assigned ,from time to time.”.

162D. **Monitoring Committee:-** In addition to the Lead Agency, a Committee shall be constituted to act on full time basis for the Lead Agency to implement and monitor various road safety activities which shall consist of the following members, namely:—

Sl. No.	Officer	Designation
(i)	Joint Commissioner Transport (Road Safety), STA, Odisha, Cuttack.	Chairperson
(ii)	Road Safety Engineer (in the rank of Executive Engineer) on deputation from Works Dept., Govt. of Odisha.	Member
(iii)	Police Officer (in the rank of Deputy Superintendent of Police) on deputation from Home Dept., Govt. of Odisha.	Member
(iv)	Medical Officer (In the rank of Assistant Surgeon) on deputation from Health & Family Welfare Dept., Govt. of Odisha.	Member
(v)	Education Officer (in the rank of Junior Lecturer or Block Education Officer) on deputation from School & Mass Education Dept, Govt. of Odisha.	Member
(vi)	Assistant Director (Statistics) deputed from P & C dept Govt. of Odisha.	Member

162E. Function of the monitoring committee:- The members of committee shall perform the following duties along with any other matter to be assigned, from time to time, namely;-

(1) Joint Commissioner Transport (Road Safety).—

(i) Review of the Road Safety compliances for submission to the Supreme Court Committee on Road Safety or any other Central or State agencies managing road safety;

(ii) Review of the equipment used to ensure enforcement and traffic management to improve road safety and avoid further road crashes;

(iii) Planning, monitoring and evaluating the road safety fund and mobilising it to the road safety activities for ensuring smooth implementation of projects;

(iv) Co-ordination between various stakeholder Departments of the Lead agency;

(v) Monitoring of various road safety initiatives as well as activities as recorded in the minutes of the SRCS Meeting, Lead Agency Meeting and any such meetings pertaining to central and state agencies;

(vi) Monitoring of Information, Education and Communication (IEC) activities being carried out for road safety awareness;

(vii) Effective implementation of activities as defined in the Policy and Standard Operating Procedures (SOPs) pertaining to improvement of Road Safety; and

(viii) Monitoring of achievements and implementation relating to Road Safety initiatives as per Odisha Road Safety Action Plan.

(2) Road Safety Engineer.—

(i) Preparation of compliances relating to Road Engineering for submission to the Supreme Court Committee and other Centre and State guidelines/notifications;

(ii) Collection and compilation of information relating to Road Engineering from various Road Owning Authorities;

(iii) Sample re-verification of the implementation works recommended for Black spots and further recommendations for improvements;

(iv) Analysis of the Road Safety Audit reports of various Road Owning Authorities and monitor implementation of recommendation of the Audit;

(v) Monitoring of implementation of traffic calming measures like erection of signages, speed limit boards, treatment of intersections, erection of crash barriers, closure of unauthorized medians etc. taken up by various Road Owning Authorities from, time to time and appraise to the Transport Commissioner;

(vi) Analysis of the information relating to Road engineering recorded in the minutes of the District Road Committees, submission of reports to the Transport Commissioner and sharing the same with the concerned Road Owning Authorities and monitoring its implementation; and

(vii) Monitoring of the implementation of various targets assigned to the Road Owning Authorities as per the Road safety Action Plan.

(3) Police Officer.—

(i) Assist in fixation of Road Safety related enforcement target for different officials of Transport department;

(ii) Collection and compilation of Road Safety related enforcement data officer wise of the officers of Transport department;

(iii) Analysis of district wise fatality data and enforcement data, find out gaps, suggest specific measures for improvement in road safety;

(iv) Collection and compilation of information relating to Enforcement from CID, CB and S.Ps / DCPs and other Centre and State guidelines/notifications;

(v) Analysis of the information relating to enforcement recorded in the minutes of the District Road Safety Committees;

(vi) Preparation of the compliances as per observations of the Supreme Court Committee including preparation of information sheet for various review meetings relating to enforcement;

(vii) Co-ordination between Enforcement Officials of Transport department and Police Officials and monitoring at District Level for effective implementation of directions of the Supreme Court Committee relating to enforcement;

(viii) Monitoring implementation of Student Traffic Volunteer Scheme; and

(ix) Coordination with related department like Police, SCRB, CID, CB, State Fire Service, NHM etc. for collection and maintenance of road crash records, monitoring the implementation of Accident Management Information System and monitoring the achievement of targets relating to enforcement as per Odisha Road Safety Action Plan.

(4) Medical Officer.—

(i) Preparation of compliances relating to Emergency Care for submission to the Supreme Court Committee and other Centre and State guidelines or notifications;

(ii) Monitoring the training programs meant for staff of H&FW Department funded out of Road safety fund;

(iii) Co-ordination between officials of Transport Department and H&FW Department at district level for conducting Health Check-up camps;

(iv) Co-ordination between officials of Transport Department and H&FW Department for conducting first responder's training program at District level;

(v) Collection of information from NHM, 108 Ambulance etc. and analyse the data;

(vi) Time to time visit the Trauma Care Centers and submit report to the Transport Commissioner on effectiveness of TCCs;

(vii) Monitor effective implementation of Good Samaritan Policy; and

(viii) Co-ordination between Transport Department and H&FW Department at field level for organising First-aid training programmes.

(5) Education Officer.—

(i) Preparation of the compliances relating to Road safety Education / awareness for submission to the Supreme Court Committee and other Centre and State guidelines/notifications;

(ii) Co-ordination between Transport Department officials and Education Department officials at District level for conducting awareness programmes;

(iii) Co-ordination for implementation of School Bus Policy, Ensure holding of Teacher - Parent meetings for safe movement of School or college Students;

(iv) Ensure compliance of direction of the Supreme Court Committee like inclusion of Road Safety in curriculum programs etc. in Teacher's Training;

(v) Preparation of I.E.C. materials relating to Road Safety for School or College students; and

(vi) Take action as per Proceedings of the DRSCs relating to awareness.

(6) Assistant Director.—

(i) Audit and Accounts matters of the Road Safety Fund;

(ii) Preparation of consolidated compliances relating to observations of the Supreme Court Committee and other Centre and State guidelines/notifications;

(iii) Preparation of Agenda, minutes of meeting for various Road Safety review meetings;

(iv) Preparation of Action Plan, Road Safety related publications as directed by the Supreme Court Committee and the Government

(v) Analysis of Road Crash & Fatality statistics;

(vi) Assist in co-ordination between various stakeholder Departments of the Lead agency; and

(vii) Publication of an analytical report on Road Crash scenario in Odisha.”.

100. In the said rules, in rule 164-A, for sub-rule (1), the following sub- rule shall be substituted, namely;-

“ (1) No driver while driving or riding a motor vehicle (including two-wheeler) shall use a mobile phone:

Provided that the driver can use the mobile phone for navigation purpose in secured manner without any distraction to driving and also using the limb.”.

101. In the said rules, in rule 173, for sub-rule (2), the following sub-rule shall be substituted, namely ;-

“(2) The powers conferred by Section 114 may be exercised by any officer of the rank Sub-Inspector, Traffic or Junior Motor vehicle Inspector in uniform and above in Odisha motor vehicle department, Police Officer in uniform of and above the rank of Sub-Inspector.”.

102. In the said rules, for rule 174, the following rule shall be substituted, namely;-

“174. Inspection of vehicle involved in an accident .— The Inspector of Motor Vehicles in his absence the Assistant or Junior Inspector of Motor Vehicles or any other officer of Odisha Transport Engineering Service authorised in this behalf by the Commissioner shall

inspect the motor vehicle involved in an accident and for that purpose may enter at any reasonable time any premises, where the vehicle may be and may remove the vehicle for inspection and in that case intimation shall be given to the owner as required under the Proviso to Section 136 and after such inspection return the vehicle to the owner upon such condition without unnecessary delay.”.

103. In the said rules, for rules 176 and 177, the following rules shall be substituted, namely;-

“ **176. Powers of the officers of motor vehicles Department. —**

(1) Any Officer of the Odisha Motor Vehicles Department established under Section 213 of and above the rank of Sub-Inspector of Traffic and Junior Motor Vehicles Inspector shall exercise the powers under sub-sec. (1) of Section 114, sub-section (1) of Section 119, sub-sections (1),(2) and (3) of Section 130, sub-section (1) of Section 132, Section 133, clause (b) of Section 134, sub-sections (1) and (4) of Section 158, Section 200, Sections 202, 203, 204, 205, 206 and 207.

(2) The Officer of the Odisha Motor Vehicles Department, not below the rank of Traffic Sub- Inspector/Junior Inspector of Motor Vehicles shall draw electronic challan (e-Challan) when it is detected that the owner/driver of a motor vehicle has committed offence under the provisions of Motor Vehicles Act and rules made thereunder. Officers of Odisha Motor Vehicles Department mentioned above, shall also draw e-challan on the basis of documentary evidence that the owner/driver of a motor vehicle has committed offence under the provisions of Motor Vehicles Act and rules made thereunder:

Provided that the Constable of Motor Vehicles (Enforcement) Wing shall also exercise the powers under the provisions of sub-section (1) section 119, sub-section (1) of section 130 and clause (a) of sub-section (1) of section 132.

177. Supervision by the Commissioner. — All the Officers of the Odisha Motor Vehicles Department shall be Subordinate to the Commissioner and shall exercise the powers and perform the duties as assigned to them from time to time under the Act and these rules and the notification issued thereunder. They shall carry out the instructions and order issued by the Commissioner from time to time.”.

104.In the said rules, in rule 178, —

(a) for sub-rule (1), following sub-rule shall be substituted, namely: —

“(1) The Deputy Commissioner Transport, the Regional Transport Officer, Additional Regional Transport Officer (Enforcement), Inspector of Motor Vehicles, Deputy

Superintendent Traffic, Assistant Inspector of Motor Vehicles, Junior Inspector of Motor Vehicles, Inspector (Traffic), Sub-Inspector Traffic, Assistant Traffic Sub-Inspector & Constable shall wear the following uniform and badges:

Provided that the State Government may, by notification, from time to time, revise uniform and badges prescribed under these rules.

(A) The Uniform for Regional Transport Officer, Deputy Commissioner Transport shall be as follows :—

(a) Regional Transport Officer —

- (i) Navy Khaki forage cap with monogram OMVD;
- (ii) Coat (open collar) Bush shirt with Trousers of Police pattern in Khaki;
- (iii) Tie and round woven whistle cord of light blue colour;
- (iv) Shoulder badge with monogram OMVD;
- (v) Cross belt of Police pattern of dark brown leather with silver fittings;
- (vi) Ashoka Stambha Emblem on the shoulder strap and one five-pointed silver-plated star;
- (vii) Brown shoes (as in the case of Indian Army);
- (viii) Name badge with name and designation prominently exhibited on the front of the uniform.

(b) Deputy Commissioner Transport: -

- (i) Navy Khaki forage cap with monogram OMVD;
- (ii) Coat (open collar) bush shirt or shirt with trousers of Police pattern in Khaki;
- (iii) Tie and round woven whistle cord of light blue colour;
- (iv) Shoulder badge with monogram OMVD;
- (v) Cross belt of Police Pattern of dark brown leather with silver fittings;
- (vi) Ashoka Stambha emblem and two five-pointed silver-plated star on the shoulder strap;
- (vii) Brown shoes (as in the case of Indian Army);
- (viii) Name badge with name and designation prominently exhibited on the front of the uniforms.

(B) The uniform for the Inspector of Motor Vehicles, Additional Regional Transport Officer (enforcement), Deputy Superintendent of Traffic, Assistant Inspector of Motor Vehicles,

Traffic Inspector, Junior Motor Vehicle Inspector and Traffic Sub Inspector shall be as follows :—

- (i) Navy khaki forage cap with monogram OMVD;
- (ii) Coat (open collar), bush shirt or shirt with trousers of Police pattern in Khaki;
- (iii) The round woven whistle cord of light blue colour;
- (iv) Cross belt of Police pattern of dark brown leather with silver fittings;
- (v) Silver plated buttons as illustrated below;
- (vi) Black shoes;and
- (vii) Shoulder Strap shall include Ashoka Stamba emblem for Inspector of Motor Vehicles, Additional Regional Transport Officer (enforcement) and Deputy Superintendent Traffic, three five pointed stars for the Assistant Inspector of Motor Vehicles and Traffic Inspector, two five pointed stars for Junior Motor Vehicle Inspector and Traffic Sub-Inspector.

(C) The uniform for the Assistant Traffic Sub-Inspector and Constable shall be as follows :—

- (i) Khaki shirts of Police pattern;
 - (ii) Khaki shirts of Police pattern;
 - (iii) Twill (Khaki);
 - (iv) Peshawari Chappal (Black);
 - (v) Flat brass button with inscription "O.M.V.D.";
 - (vi) Shoulder badges at the base of shoulder's strap with letters "O.M.V.D." in white metal for Constable & one five pointed star on the shoulder strap with letters "O.M.V.D." in white metal base of the strap for Assistant Traffic Sub Inspector.
 - (vii) Leather belt (dark brown);
 - (viii) Brass belt plate with inscription "Orissa Motor Vehicles Department";
 - (ix) Pugree consisting of Pugree (red), Kullah (red), green fringe;
 - (x) Short Lathi;
 - (xi) Name badge with name and designation prominently exhibited on the front of the uniforms; and
- (b) sub-rules (3) and (4) shall be omitted.”.

105. The seventh schedule appended to the said rules, shall be omitted.

106. In the said rules, for Form I appended thereto, following new Form shall be substituted, namely; -

“ FORM I

Form of authorisation to be carried by a driver of a transport vehicle.

[See rule 7(6)]

1. Name:
2. Father's name:
3. Date of birth:
4. Residential address:
5. DL Number:
6. Name of the Licensing authority who issued/Renewed the DL:
7. Validity of DL:
8. COV authorised in the DL-
9. Registration number(s) of vehicle-
10. Name and address of the owner of the vehicle.

I hereby declare that the particulars furnished above are true. This is to authorise that the above driver has been engaged by me to drive the transport vehicles belonging to me.

Signature of the driving licence holder.

Signature of the owner of the vehicle

Place:

Date:

Witness (with clear address)—

(1)

(2)".

107. Forms III, IV, VI, VII, XXXVIII, XXXIX, XL, XLI, XLII, XLIII, XLIV, XLV and XLVI appended to the said rules, shall be omitted.

By Order of the Governor

USHA PADHEE

Principal Secretary to Government